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A LOCAL ITEM.

By JOHN R. THOMPSON.

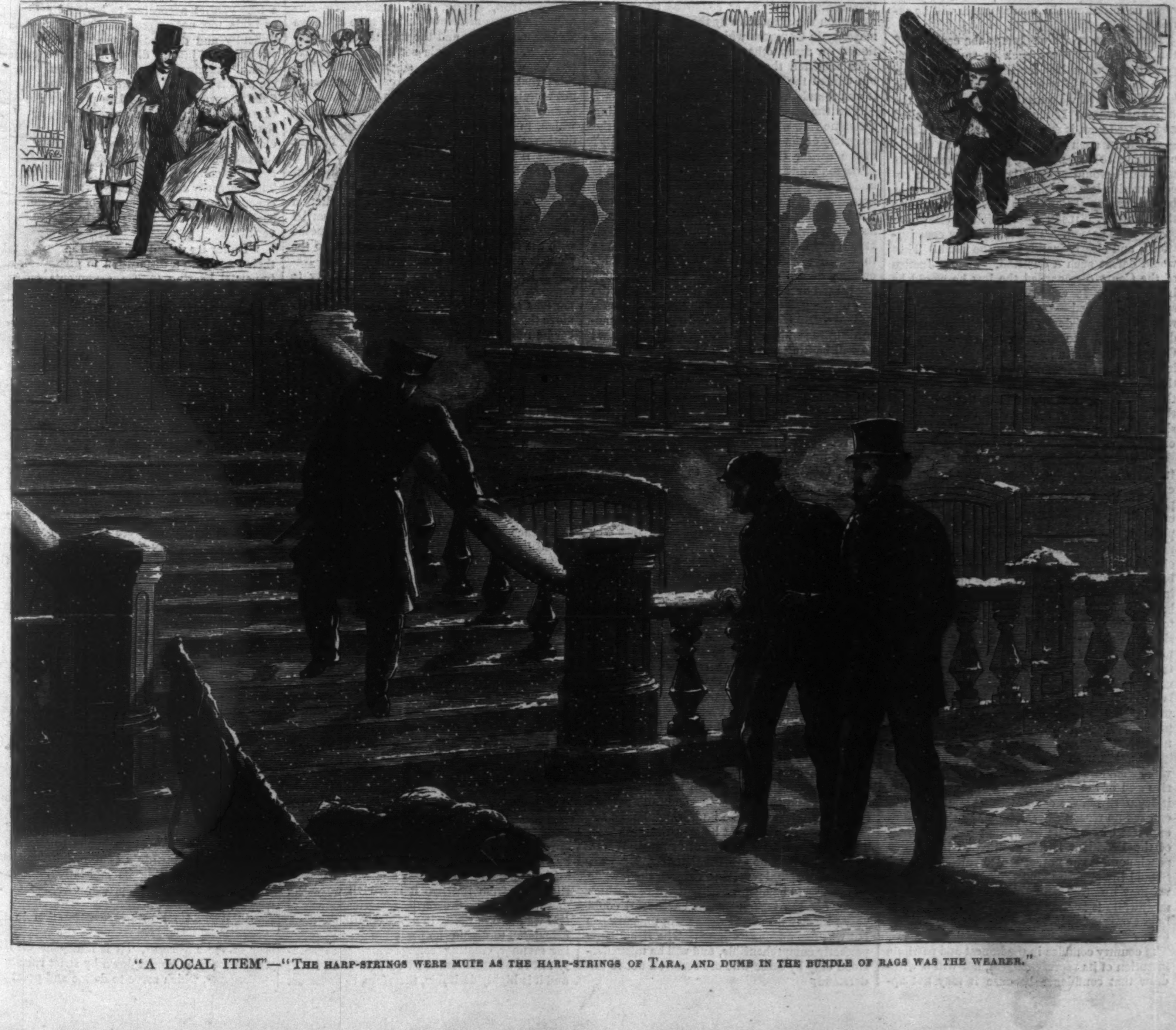
ON the last night but one of the year '67,
When a snow-cloud hung darkly 'twixt Broadway and heaven,
And the wind blew chill down the frozen street
Where the warm-gloved watchman walked his beat,
And Blanche o'er her bare white beautiful shoulder
Pulled her furs and remarked "'Tis decidedly colder,"
As lightly she stepped from the door of the play
To the soft-cushioned seat of her shining coupé;
On that last night but one of the year '67,
As the clocks in the steeples were striking eleven,
An everyday tragedy, old as the hills,
A tragedy never set down in the bills,
Acted itself with a sad iteration
For its thousand and fiftieth representation:
Nobody there when the curtain rose,
Nobody present to witness the close,
Only the All-Seeing Eye to behold it,
Say, reader mine, would you like to be told it?
Very well, I will tell
How the matter befell.

Place, the Fifth Avenue; time, just recited:
Back-ground, a mansion all brilliantly lighted.
One little scena, how long I'm not sure;
Possibly 'twas but a *mauvais quart d'heure.*
Dramatis Persona, one little Italian,
A tatterdemalion,
As ragged—I give the report of a friend
Who arrived opportunely just *after* the end,
And who widely has wandered from country and home—
As ragged as ever he
Saw in Trastevere,
Over the tawny-tinged Tiber at Rome.
Ragged and friendless and dirty and brown,
Good-for-naught, vagabond boy of the town,
Who lived in the streets, and who slept in a shanty,
And spoke, in his way, the rich language of Dante;
Not the lingua Toscana
In bocca Romana,
But a sort of patois of the Tuscan so flowery,
With scraps of the sterner discourse of the Bowery.
Well, these, you will say,
For a tragical play,
Are materials scant as the skirts of the ballet,
Yet I boldly aver, with the sombre finale
They would serve for a very fine painting by Gallait.

Now this little scamp
Was accustomed to tramp
From Jefferson Market to Madison Square,
Through the highways and lanes of our Vanity Fair;
And as Christian in weariness carried his pack,
So he bent 'neath the weight of a harp on his back;
Which he often unslung,
And vindictively strung,
In a manner distressing, as possibly *you* know,
To wreak on the public the music of Gounod.
All the Christmas—blest season of innocent mirth!
When a Glory Ineffable rests on the earth,
Since Bethlehem witnessed Immanuel's birth—
All the Christmas did little Miserrimus trudge,
A wandering minstrel, through snow and through sludge.
('Twas a holiday cheerless for such as he,
For he plucked the fruit of no Christmas tree,
Nor did Santa Claus during his stillest repose
Stuff bonbons and lollipops into his hose;
And the reason's quite shocking—
He hadn't a stocking!)
Till that night when the stars in the snow-cloud were lost,
And fiercely as fire came the terrible frost,
When, like many who drag through this world of care,
He at last found his burden too heavy to bear,
And sank on the steps of a brown-stone palace,
Where glittered the lustres and sparkled the chalice,
For the gorgeous rooms were ablaze with light
That streamed through the windows out into the night;
And there, to the soft muffled sound of the viol,
Forgetting his hunger and fever and trial,
The boy, who had no other wrapping to keep,
Was very soon wrapped in the mantle of sleep.

It so chanced that two gentlemen, passing that way,
From the Nickleby Reading, the Théâtre Français—
Smike's wrongs and the queenly despair of Ristori—
On a sudden encountered our young Trovatore:
'Twas just as the watchman, to know what the knave meant,
Had rolled him in tenderness down on the pavement,
Had asked, in a kindly, constabular tone,
What he wanted, and bade him get up and be gone.
But Miserrimus answered him never a word,
Nor waked from his slumber nor whimpered nor stirred.
The harp-strings were mute as the harp-strings of Tara,
And dumb in the bundle of rags was the wearer.
Alack! what he wanted just now was—a coffin,
For the poor little beggar was dead as the Dauphin,
And the soul of the outcast, escaping its bars,
Away through the snow-cloud that shut out the stars,
Away from the sorrows and sins of the city,
Had taken its flight to the Infinite Pity!

Voila tout!
Nothing new,
Very true—
But with you,
The moral, oh people! I leave it with you—
The poor ye have always; oh think of the poor
Who perish of hunger and cold at your door;
Remember the words of the Master, who came
A world to redeem—what is done in My Name
(Oh blessed assurance! oh benison free!)
To the least of these little ones is as to me;
Think of the homeless sons of labor,
And know that each man of them all is your neighbor;
Think of the thousands that famish and die
In the sorrowful South, of the children that cry
For food unto mothers, who writhe with the pain,
That the "cry of the children," O God! is in vain.
Soothe in your mercy this bitter woe,
That the tears of this agony cease to flow;
Lift ye the desolate out of the dust,
And then, with a higher, a holier trust,
May your morning petition, oh brothers! be said,
Give us this day our daily bread!



"A LOCAL ITEM"—"THE HARP-STRINGS WERE MUTE AS THE HARP-STRINGS OF TARA, AND DUMB IN THE BUNDLE OF RAGS WAS THE WEARER."

HARPER'S WEEKLY.

Saturday, February 1, 1868.

THE GREAT GALE.

THE political contest at Washington is one that is always latent in our system, and has occasionally appeared. It is simply the result of the necessity which will sometimes arise of ascertaining which is the really supreme branch of the Government. The Constitution creates three departments, and defines the powers and duties of each. They are usually called coordinate, and they are often supposed to be of equal supremacy because of their equal constitutional creation. But the final control of two of the departments is given to the third. The Executive may be removed by impeachment; the Judges of the Supreme Court may also be impeached; their number increased, and the proceedings of the Court regulated by Congress. But for the misconduct of Congress itself no remedy is provided except the direct appeal to the people at an election. The intention of the framers of the Constitution is evident that, in extremity, Congress should be the chief authority.

But it must be chief under the Constitution, or effect a revolution. That is not in itself an evil, for a revolution may be necessary and it may be peacefully accomplished, but it is nevertheless a revolution. The Constitution, as we show elsewhere, authorizes Congress to control the Supreme Court by "swamping" it, or by regulating its method of procedure; while the Executive may be controlled by impeachment. But to supersede the Executive without impeachment, and to forbid the Court to perform its functions before attempting to reach the desired end by the constitutional means of enlargement and regulation, is revolution. If Congress is of opinion that during the delay consequent upon impeachment the most fatal injury may be done to the country, an injury more deadly than a radical change in the government, it may properly work the change, trusting to the popular approval. And so with the temporary suspension of the Court. But the responsibility is enormous; and if its judgment be mistaken, the consequences will be serious.

Now, if five or six weeks ago the conduct of the President was not such as to justify impeachment, what has happened in the mean time to justify his practical deposition? The immediate peril we presume to have been the M'Ardle case. If that case should be called and argued now, it was supposed that the Court—which in such cases is very apt to decide according to the political predilections of its members—would substantially declare the reconstruction law unconstitutional—which would be the opening of Pandora's box. But suppose the bill of Mr. Wilson's—of which we elsewhere speak—had passed. That is perfectly constitutional, and clearly justified by the peril. That would defeat such a decision. If any Justice of the Court disregarded the law he would be impeached. It would be an extraordinary spectacle, indeed—Congress passing an act which the Court declares unconstitutional and disobeys, and the Congress then trying the Court. Yet it is a perfectly constitutional dilemma, unless it be supposed that Congress, in the legislation of reconstruction, is subject to the Court. The difficulty is in the nature of the system. The misfortune is, that there should arise a necessity of testing the superiority of power.

But here was a constitutional outlet from the trouble; a remedy extreme, indeed, but the emergency is extreme; a remedy not to be applied until the national welfare plainly demanded it, but to be applied then to save graver complications and more serious trouble. The Supreme Court has no power to enforce its decisions, and depends for its moderating and balancing influence in our system upon the willing submission of all citizens and of the other branches of the government to its decrees. But to claim that therefore there should be submission to its decrees, even when they involve a total frustration of the national purpose after a tremendous war for national existence, and when the Constitution itself affords a remedy, is the very ecstasy of folly. That remedy would be special legislation; but the case is precisely that in which special legislation is necessary.

Of course no man of any party will deny that when Congress forbids the action of the Executive and of the Judiciary by simple enactment it departs from the constitutional method. We can see no reason as yet to change the opinion expressed by us last week, that if the conduct of the President is not such as to justify impeachment, it can not be wise to supersede him. Should the opposite view prevail, we trust that we may discover sufficient reasons for it; but meanwhile it is the duty of a faithful press to help Congress with its counsel, not blindly to follow and defend its action at every moment. The country confides in the honest and patriotic intention of its representatives, nor will it withdraw that confidence because it may not approve every measure which Congress adopts. As for party ascendency, that is to be maintained only by a policy which is the result of the wisdom and experience of the whole party.

THE PRESIDENT, Mr. STANTON, AND GENERAL GRANT.

The action of General Grant in surrendering his office to Mr. Stanton, after the decision of the Senate, baffled the President's undoubted purpose of forcing an issue before the Supreme Court. The law left to the General no alternative; for it makes the attempt to exercise the duties of the office under the circumstances in which General Grant found himself a high misdemeanor. The Tenure of Office Bill, as it is called, is undoubtedly the law. It has been properly enacted by Congress. The President has objected, and it has been constitutionally passed over his veto. It may be a distasteful law; it may be inexpedient; but it can not be considered unconstitutional merely because the President says so.

The truth is, that the question involved is a very open one. The veto with which the President returned the law to Congress shows no more than that the point has been settled by precedent and even by construction. The question arose in the House of Representatives in 1789, and was vigorously argued upon both sides. Mr. Madison, in the *Federalist*, had maintained that the consent of the Senate was necessary to removal; but in the debate he declared that he had changed his opinion. Notwithstanding his change of view, however, the question was decided in favor of the President's sole power only by a vote of thirty-four to twenty in the House, and in the Senate by the casting vote of the President. In 1839 the Supreme Court declared that it was a subject upon which there had been at the formation of the Government great difference of opinion, but it thought the general rule of construction had become that the President's power is exclusive. Judge Story, in commenting upon the question, said that it had always been believed that the final decision was greatly influenced by respect for the character of President Washington then in office; and he adds, that it is "the most extraordinary case in the history of the Government of a power conferred by implication upon the Executive by the assent of a bare majority in Congress which has not been questioned on many other occasions." Mr. Webster admitted the uniformity of the practice, but denied the justice of the view upon which it was founded.

The time has come when Congress, holding the same view with Mr. Webster, questions the propriety of the decision of "the bare majority" of the earlier Congress, and agrees with Mr. Madison's first opinion. The right to do so is undeniable, and the action which it takes in accordance with its judgment is certainly good law until it is contradicted by something more imposing than President Johnson's opinion. It is a law in any case which he can not refuse to execute without impeachment; for if his opinion of the constitutionality of laws which are passed over his veto is to prevail against the will of Congress, his will is the law of the land, and Mr. Johnson has decided for himself, according to Mr. Seward's notorious phrase, that he will be king and not President.

We must not omit to state, however, that the President had acknowledged the authority of the law, after it was finally passed. He "suspended" Mr. Stanton according to the law, and in obedience to it also he sent into the Senate the reasons of his action. But he hoped, of course, before the matter ended, to effect his original object, which was to be rid of Mr. Stanton, and to ruin General Grant by making him appear to be a cat's-paw. It is a very homely remark to make, but it is very intelligible, that if the President expects to "use" the General-in-Chief he must be up very early in the morning. The General does not say much, but his acts are very eloquent. They are so eloquent, indeed, that those who have been sorely troubled by his silence have no further doubt of his meaning. He means to obey the laws, and not to aid the President in thwarting them.

That we presume to be also Mr. Stanton's intention. He does not remain in the War Department for his own pleasure, but certainly he has no right whatever upon any point of etiquette to allow the President the smallest opportunity to frustrate the plan of reconstruction which Congress has adopted. The President and his friends ought to remember that if he had shown a disposition to adhere faithfully to the Constitution, of which he is so fond of speaking, and to execute in good faith and according to their spirit the laws which he did not like as well as those that he approved, the Civil Tenure Bill would not have been passed. When, however, it became evident that in every way, short of an actual refusal to observe the law, he was aiming to baffle its purpose, Congress, which might not see reason for impeachment, could very properly do what might seem uncourteous but was not unconstitutional. The situation is perfectly comprehensible, and will be misunderstood only by those who are resolved not to understand.

SUPREME COURT—THE TWO-THIRDS PROVISION.

The Judiciary Act passed immediately after the adoption of the Constitution provided that the Supreme Court of the United States should consist of a Chief Justice and five Associate Justices, four of whom should be a quorum. In 1837 (March 3) the number of Associates was extended to eight besides the Chief Justice, and it was declared that five should be a quorum. By the death of Justice Wayne a vacancy was created, which by Act of Congress is not now to be filled. The Court, therefore, consists of eight including the Chief Justice. The present Congress may provide by law that no act of Congress shall be declared unconstitutional by the Supreme Court except two-thirds of the members of the Court concur in the decision, and the question arises whether the regulation comes within the power of Congress?

The Constitution provides, Article III., that "the judicial power of the United States shall be vested in one Supreme Court and such inferior courts as the Congress may from time to time ordain and establish." Then, after enumerating the subjects to which the judicial power shall extend, it proceeds: "In all cases affecting embassadors, other public ministers and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before-mentioned the Supreme Court shall have appellate jurisdiction, both as to law and fact, *with such exceptions and under such legislations as the Congress shall make.*"

The power of the Supreme Court to determine the validity or invalidity of acts of Congress arises under its appellate jurisdiction, which is to be exercised "with such exceptions and under such regulations as the Congress shall make." Under the power to make regulations the Judiciary Act of 1789—doubtless drawn in concurrence with Hamilton—provides, § 34, that "the laws of the several States, except where the Constitution, treaties, or statutes of the United States shall otherwise require or provide, *shall be regarded as rules of decision* in trials at common law in the courts of the United States in cases where they apply"—a provision which the Supreme Court in 1825—composed then, among others, of Marshall, Washington, Story, and Thompson—sustained. It was afterward, in the time of Judge Taney, confirmed, and the statute remains unrepealed. The principle settled by these decisions, which have been slightly modified, is this: that the power of Congress to regulate is not merely one to constitute the Court, but that it may go beyond this and prescribe a rule by which, in certain cases of acknowledged jurisdiction, the Court shall be governed. To that extent it controls the functions of the Court, and regulates the exercise of its jurisdiction. Hamilton, in the eightieth Number of the *Federalist*, referring to the subjects of jurisdiction conferred on the Court, says: "If some partial inconveniences should appear to be connected with the incorporation of any of them into the plan, it ought to be recollected that the National legislation will have ample authority to make such *exceptions*, and to prescribe such regulations as will be calculated to obviate or remove those inconveniences." In the next Number he refers to this jurisdiction of the Court as being subject to "any exceptions and regulations which may be thought advisable," showing much conformity between his views, expressed in the *Federalist*, in the subsequent legislation of Congress, and in the decisions of that tribunal.

The sections of the Constitution which authorize Congress to ordain and establish the Supreme and inferior Courts created a mere skeleton, not capable of being useful without the aid of Congress. Neither the number of Judges nor the mode of proceeding is specified, and hence a vast amount of legislation, comprised in over a hundred pages of "Gordon's Digest," was necessary to set the Courts in motion. "A power to constitute courts is a power to prescribe the mode of trial."—*Federalist*, No. 83. Without this enabling legislation the Court, if constituted by Congress, would be incompetent to exercise the jurisdiction conferred by the Constitution. Unquestionably the duty of ordaining and establishing the Court was imperative, but the discretion given to Congress in regulating the appellate jurisdiction of the tribunal is in no respect limited except by the nature of the subject, and by a few restrictive clauses which have no bearing on the question under consideration.

Is there any thing in the nature of the subject to prevent the passage of the act requiring two-thirds to annul an act of Congress? No graver duty can be performed by the Court than to decide on the validity of the National legislation, even when the country is undisturbed by vital questions. But the question that now arises under the war power, and what necessarily flows from it when it is a civil war—the power to decide the terms of peace, for it is this we are now doing in our legislation—is one calculated to divide the people in a most exciting manner, creating feelings which can scarcely fail to be communicated to the Court itself, and it is highly desirable, therefore, to construct the Court on a basis as much above the passions of the time as it is possible to do. If the Court shall decide against the validity of the Legal-Tender Act; that the war was fought on an unconstitutional basis, and that the Southern States are still in the Union, their rights unimpaired—for the same degenerate Northerners that agree on one usually agree on all these points—results that can not be contemplated without extreme solicitude would follow, and it is wholly unsafe to leave these questions to the decision of a bare majority of judges.

In Great Britain the policy of requiring a decision by more than a majority has been adopted in many cases of importance. By the articles of war established by Parliament, § 15, it is provided that in capital cases the decision of at least two-thirds, or nine out of thirteen officers presiding, shall be necessary to give judgment of death. On the impeachment of a Peer of the Realm it is well known that a finding in the affirmative by at least twelve of his compeers was necessary to conviction. By the eleventh section of the act of Parliament relating to courts, passed during the 1st Wm. 4, it is provided "that in all cases relating to the practice of any of the three Superior Courts at Westminster, in matters over which they have a common jurisdiction of or relating to the practice of the Court of Error in the Exchequer Chamber, the judges of such courts, jointly or any eight or more of them, including the chiefs of each court, may make general rules and orders for regulating the proceedings of all such courts, which rules and orders are to be observed therein, and no general rules and orders respecting such matters shall be made in any manner except as aforesaid." These instances clearly show that in Great Britain the Parliament does not in all cases leave its tribunals entirely free to act in all matters as a mere majority might decide.

In the disquisition on Government, written by Mr. Calhoun just previous to his death and published in the first volume of his works, some views are expressed in favor of the concurrent over the numerical majority which bear upon the question. He selects the trial by jury as an illustration:

"In these, twelve individuals selected without discrimination must unanimously concur in opinion, under the obligation of an oath, to find a true verdict according to law and evidence; and this, too, not unfrequently under such great difficulty and doubt that the ablest and most experienced judges differ in opinion after a careful examination. And yet as impracticable as this mode of trial would seem to a superficial observer, it is found in practice not only to succeed but to be the safest, wisest, and best that human ingenuity has ever devised. When closely investigated the cause will be found in the necessity under which the jury is placed to agree unanimously in order to find a verdict. This necessity acts as the predisposing cause of concurrence in some common opinion, and with such efficiency that a jury rarely fails to find a verdict.

"Under its potent influence the jurors take their seats with a disposition to give a fair and impartial hearing to the arguments on both sides, meet together in the jury-room not as disputants but calmly to hear the opinions of each other and to compare and weigh the arguments on which they are founded; and finally to adopt that which, on the whole, is thought to be true. Under the influence of this *disposition to harmonize* one after another falls into the same opinion until unanimity is obtained. Hence its practicability, and hence also its peculiar excellence. Nothing, indeed, can be more favorable to the success of truth and justice than this predisposing influence caused by the necessity of being unanimous. It is so much so as to compensate for the defect of legal knowledge and a high degree of intelligence on the part of those who usually compose juries. If the necessity of unanimity were dispensed with and the finding of a jury made to depend on a bare majority, jury trial, instead of being one of the greatest improvements in the judicial department of government would be one of the greatest evils that could be inflicted on the community. It would be, in such case, the conduit through which all the factious feelings of the day would enter and contaminate justice at its source." This reason applies with equal force to the necessity of having more than a majority to decide great questions arising under our legislation, and when it is considered that the policy of requiring a concurrence of two-thirds of those present to convict, when the Senate of the United States is sitting as a Court of Impeachment, is a constitutional provision; that in many States of the Union it is also required in like cases, and, indeed, that in very important matters it has become a habit of the country, it will be apparent that the Congress has sufficient in the way of precedent to justify the act requiring two-thirds of the Supreme Court to unite in annulling its legislation, and that it is a necessary and proper exercise of its power.

"To avoid an arbitrary discretion in the Courts," said Mr. Hamilton, in the 78th Number of the *Federalist*, "it is indispensable that they should be bound down by strict rules and precedents, which serve to define and point out their duty in every case that comes before them."

It is argued that the principle of this act of Congress might be abused so as to require the whole Court, or particular members of it, to unite in a decision. Such a proceeding would derive no support from the usages of any civilized country, and would justly be regarded as hazarding the national safety. The regulation in question in no manner interferes with the stability of the Court, except to promote it. It leaves the whole judicial power in the tribunal, and only regulates it so as to prevent a capricious judgment. The independence of the Judges is not interfered with. On the contrary, the provision secures respect for the Judiciary, and a steady and safe administration of the laws.

RAILROAD DISASTERS AND THEIR REMEDIES.

When Mr. James Boorman and his friends managed the Hudson River Railroad, signal-men were stationed along the line at about a mile distant from each other, whose duty it was to pass over the road in the intervals between the trains, to see that no cattle had jumped upon it from adjacent pastures; that no stones had slidden upon it from the sides of earth cuttings or hills; that the water from sudden rains had not swept away or covered with débris some portion of the track; and, indeed, that there were no obstructions of any kind to render travel dangerous. It was the intention of Mr. Boorman to keep the track in such good order by means of proper safeguards as to justify the high speed which is common upon the English roads. It is, he used to say, presumptuous to run a train at high speed without being certain that there are no impediments in the way

Mr. Boorman's care in this respect was due in part to the fact that one of his associates who went to Albany to procure legislation necessary to the construction of the road shared in the dangers of an accident on the Housatonic road of a serious character. A severe storm had arisen and cut a gully across the track, about ten feet wide and deep, into which one set of rails had fallen; but the engineer of the train, in entire ignorance of the gap—for there were no signal-men to give warning—moved toward it at a speed of over twenty miles an hour as if all were safe. The engine, tender, and express car leaped the cut and went on, carrying the forward wheels of the baggage-car safely over. But its hind-wheels, and in succession all the wheels of the passenger cars, were caught in the gap, and a crash followed. Mr. Boorman argued very forcibly that running the train upon a track in such a state would be held by the courts to be negligence, entitling all the injured persons to damages, and that it was far cheaper to pay signal-men than to pay such damages.

We believe, however, that there is not a road in the United States which adopts this precaution of invariable examination of the track by signal-men in advance of the passage of every train. There is more or less attention according to the means of Companies, but not enough to render it *certain* that an unruly animal has not leaped over the slight fences which line the track or that there is not some other obstruction, and passengers are carried at high speed in the faith and hope that all is well. Until public opinion is much more decided than it is now, we shall seldom witness any large expenditure for the safety of travelers, and accidents will therefore be of frequent occurrence, leaving passengers to their remedies at law for whatever damage they may suffer. But on such lines as the Central, however, which at present suffers from a plethora of wealth, and on the Hudson River and Harlem roads, there is no excuse for the want of all the care necessary to absolute safety.

Whatever may be the present law relating to damage occasioned by the want of signal-men, it is the manifest interest of the public that damage to any passenger from such carelessness shall be heavily paid. To rule that a Company is justified in attempting to jump a ten feet gap, and that it is not bound to know of the existence of such a gap when knowledge of it might be obtained with proper care, is to legalize massacre. A correct and safe ruling on this subject is necessary to induce the establishment of a sufficient police; and as the lines mentioned are in the same hands, and as the managers know what the common safety demands, we hope that such an example may be set on these great lines as to induce proper care in all parts of the country. The increased travel which will be occasioned by removing a deep and wide-spread fear among passengers, will cover the expense of signal-men, who, with a little instruction, could easily keep the track for a certain distance in good order. The true rule of economy in managing roads is to keep them as safe as they can be made.

The recent disaster at Angola has caused unusual sensation from the fact that nearly every passenger who remained in the car until it went off the track was killed from some unknown cause. In making cars the use of cast-iron supports to each seat is nearly universal. These are screwed to the floor and into the cushion-frame which rests upon them. The sudden stoppage of the train on the Housatonic road, by the accident already mentioned, occasioned a shock in the first passenger car sufficient to separate the seats and their supports from the floor, and to throw them and the stoves and passengers into the forward part of the car in a confused heap. The accident at Angola produced, no doubt, the same result, for the shock was much more severe than that upon the Housatonic road. The hurling of the seats, loaded with iron supports with jagged ends, from one end of the car to the other, as it went down end foremost, doubtless disabled all of the passengers who were not instantly killed by the weight of the fragments of the car. The accumulated weight of seats, stoves, and dead and wounded passengers, confined the mass together until its destruction by fire was complete.

A death more horrible can scarcely be conceived; but if the present plan of building cars continues these horrors will be repeated. What the passenger wants in case of such an accident is something to seize, so that he can keep his place, which is now impossible. The European cars, with seats for six persons only, are much safer at such a time, for the space is small. But upon our roads we are exposed to being thrown the whole length of a car, and to being crushed by falling weights. The remedy is found in framing or bolting each seat composed of wood or boiler-iron carefully and securely into the frame-work of the car, which should itself be strengthened, so that, to use the language of Mr. Jervis, "there may be as much wood between a passenger and death as possible."

An accident—not due to the presence or absence of signal-men—which occurred on the Hudson River Railroad shortly before the road was opened to Albany, exhibited one of the dangers from cars weakly framed. An up-train was stopped by an inexperienced conductor near Croton, to eject a passenger who had paid his fare only to a station nearer the city. While this was going on, a train which had started later from the city, sent for some special object, ran—its speed partially checked—into the first-mentioned train, then standing on a curve and partially hidden from observation, and after splitting open a portion of the cars, entered others, the engine foremost—with steam, smoke, and heat issuing from it—greatly to the dismay of the passengers, one of whom, a lady, was thrown upon the boiler, and, with others, injured. Before the conductor could recover from the surprise of having one train thrust into another—as the hand into a glove—a down-train struck the fragments of cars which had been thrown across the downward track, and a huge pile composed of engines, tenders, baggage express, and passenger cars, and their human freight was the consequence. The ease with which the cars were split open and broken into fragments showed that they had been made more for appearances than for the absolute safety of passengers. But very little improvement has since taken place; on the contrary, faults of construction have since been introduced which expose them in a greater degree to the tendency to split open and go immediately to pieces, which the triple accident developed.

A frame to be strong must unite the bottom, sides, and top completely together in a perfect net-work of timbers—not too light—held together by bolts or rods. For this purpose the top or roof ought not to be a mere covering; but it should not only participate in the general strength, but contribute to it. Those cars which have one portion of the roof elevated above another to afford ventilation are the most comfortable on account of their greater height and the means they afford for the expulsion of the over-breathed air, but are nevertheless weak, as the large open oblong immediately under the raised ceiling can not be or is not securely framed. The want of frequent and strong cross timbers or rods exposes such cars to be split open, and to fall to pieces from a variety of accidents. The union of wood and wrought iron in the framing might give sufficient opportunity in an arched, rather than a double roof, to accomplish the object of sufficient ventilation, without the sacrifice of strength. Should a car doubly-roofed roll over, which is common in severe accidents, the upper roof would be crushed in—it is so utterly weak—and add to the danger. The roof and other portions being united substantially, it would be very easy to devise a stove, made, including the pipe, of boiler-iron, and for coal, that could be held in its place, in case of a shock, with bolts extending through the floor and roof timbers—or what would be better, hot-water pipes might be introduced. But until heavy damages are exacted for all those who are injured by fire, the flimsy structures now used will be continued. The combination of comfort and safety in the interior construction of cars is not difficult of accomplishment; but every piece of surplus wood, all flimsy stoves, and every easily broken and displaced seat should be rejected, and nothing used which will not stay in its place, and aid passengers at the critical moment of an accident.

For want of strength in the bottom framing of cars it sometimes happens that a broken axle enters among the passengers, and breaks its way from one end of the car to the other, doing great damage—a difficulty which strong framing would obviate. When the axle or wheels give way the end of the car is brought immediately in contact with the rails, receiving a great shock, the severity of which would be mitigated by hanging the cars lower. This could be brought about very easily, and should receive attention.

The utter helplessness of passengers in such accidents is due to the fact that substance is sacrificed to show in building cars, and that every thing gives way—the frame because it is too weak, the seats because they are fastened to cast-iron frames which are fastened by screws to the floor—and the chances of escaping safely are consequently few. We throw out these hints in the hope that the strong men who have lately undertaken to manage the great lines in the State may give their attention to the two points presented, relating to police and the construction of cars, and establish our railroad interests on a basis of as entire safety for passengers as care and money can secure.

AMERICAN SURGERY AT THE PARIS EXHIBITION.

Our triumphs at the Paris Exhibition have not been quite as loudly saluted as those of M'Cormick's Reaper and Hobbs's Locks at that in London, but the official Reports unexpectedly show a superiority in certain American inventions in surgical science. Among these was the orthopædic apparatus of Dr. Charles F. Taylor, of New York. These apparatus are various; but his orthopædic corset for the treatment of curvature of the spine is most highly commended. This apparatus is a simple lever, which raises the superior part of the spinal column by using the transverse processes as a fulcrum, so that while pressure on the articulations of the transverse processes is safely increased, that on the bodies of the diseased vertebræ is considerably diminished. The instrument is hinged, and acts as a supplementary vertebral column. The patient can be in the open air while the seat of disease is wholly protected.

Dr. Taylor exhibited apparatus for the cure of muscular paralysis of childhood by means of localized movements, of the value of some of which we have personal knowledge; also an instrument for counter-extension in hip-disease. This is not the place for scientific explanations, but it is the place to announce what could not otherwise be publicly known as it should be; that Dr. Taylor's apparatus for the treatment of deformities have not only the approval of the best French surgeons, but are tested constantly and gratefully by American sufferers.

HENRY KEEP.

In collecting materials for the biography of Henry Keep, which recently appeared in these columns, the place of his birth was so inadvertently stated that the inference might be drawn that he was born in the Jefferson County poor-house; whereas the fact is, as we have since been informed, that, though struggling with adversity, Mrs. Keep retained her son under her own roof as long as she lived. In his earlier years he thus had the benefits of the careful training and tender regard which only a loving mother can bestow, and hence it was only at her death that, her children being unprovided for, Henry was indentured, as before stated, to a neighboring farmer. This much by way of explanation is due not only to the subject of our sketch and to truth, but also to the memory of one who is spoken of by all who knew her as a most affectionate and devoted mother, and one of the noblest of women. We are also requested to state that the announcement that Mr. Keep is President of the Northwestern Railroad was also incorrectly made.

LITERARY.

A delightful and valuable history of "The Huguenots; their Settlement, Churches, and Industries in England and Ireland," by Samuel Smiles, is just republished by the Harpers, with an Appendix treating of the Huguenots in America, by Gabriel P. Disosway. It is peculiarly timely in its appearance with Mr. Motley's new volumes, which describe the cruel persecutions of Philip II. that drove the Protestant Netherlanders across the Channel. The book is full of the most interesting information and anecdote; and the story of the revocation of the Edict of Nantes and of the sufferings and struggles of the French Huguenots is faithful and vivid. Indeed, the whole work is precisely one of those instructive volumes which are truly said to be "as fascinating as a novel," and it is properly presented by the publishers in a very handsome form.

"The life of Nathanael Greene, Major-General in the Army of the Revolution," has been known for a long time to be in preparation by his grandson, George Washington Greene, who is in possession of all the family papers, and the first of the three volumes is now published by Putnam & Son. Of the author's peculiar accomplishment for the task those who are privately familiar with his wide scholarship are fully aware, and his "Historical View of the American Revolution," a work of remarkable research and interest, has informed the public. He has made an admirable use of his ample resources, and the result is a biography which vividly depicts the domestic and public life of the hero down to the camp at Valley Forge in 1778. The biographer does not seem to be unduly influenced by his kindred to the General; and he delightfully refreshes the story of the early days of the Revolution. We can but make a note of the work here, and heartily commend it to all who would understand why Greene was the cherished friend of Washington.

"Mrs. Comfort's Fairy Stories," by Lucy Randall Comfort, published by the Harpers, is a little quarto of little tales for little people, which will, however, be a great delight to them. They are just long enough to be piquant and charming, and the delicate fancy that plays through them is airy as the sprites themselves. It is a very commendable plan to lay aside a copy of this modest and pretty little book for the next juvenile birthday.

"A Fourteen Weeks' Course in Chemistry," by J. Dorman Steele, Principal of Elmira Free Academy, and published by A. S. Barnes & Co., is not, in the ordinary sense, a book of science made easy, which is generally science made worthless; but it is a thorough hand-book of a few of the principles and practical applications of chemistry to the concerns of common life. The author, whose common-sense in dealing with his subject is as evident as his mastery of it, does not attempt to omit or to disguise the nomenclature of the science which, as he truly says, robs it of its mathematical beauty and discipline. He omits only what is essential to the chemist, and he has made a precious book which every body can read with growing wonder and pleasure. It is as full of necessary and valuable knowledge as a nut of meat, and we are not surprised to hear of its success.

THE NEW RECONSTRUCTION BILL.

The new Reconstruction Bill, which was recommitted to the House Judiciary Committee on January 13, and of which we gave a synopsis last week, came up again in the House on January 14, unaltered. It was debated, with much acrimony, on January 15 (during which Fernando Wood, of New York, was censured for immoderate language), January 16, 17, 18, and 20, but no vote was arrived at up to the latter date, though it appeared settled that the bill would eventually pass by a large majority.

THE COTTON TAX.

There has been no settlement of the differences between the House and Senate in regard to the repeal of the Cotton Tax. The House passed a bill to repeal the tax altogether; the Senate amended it, suspending the collection of the tax for one year, and refused to concur in the original bill. A committee of conference was appointed on January 20.

EUROPEAN RECOGNITION OF THE MEXICAN REPUBLIC.

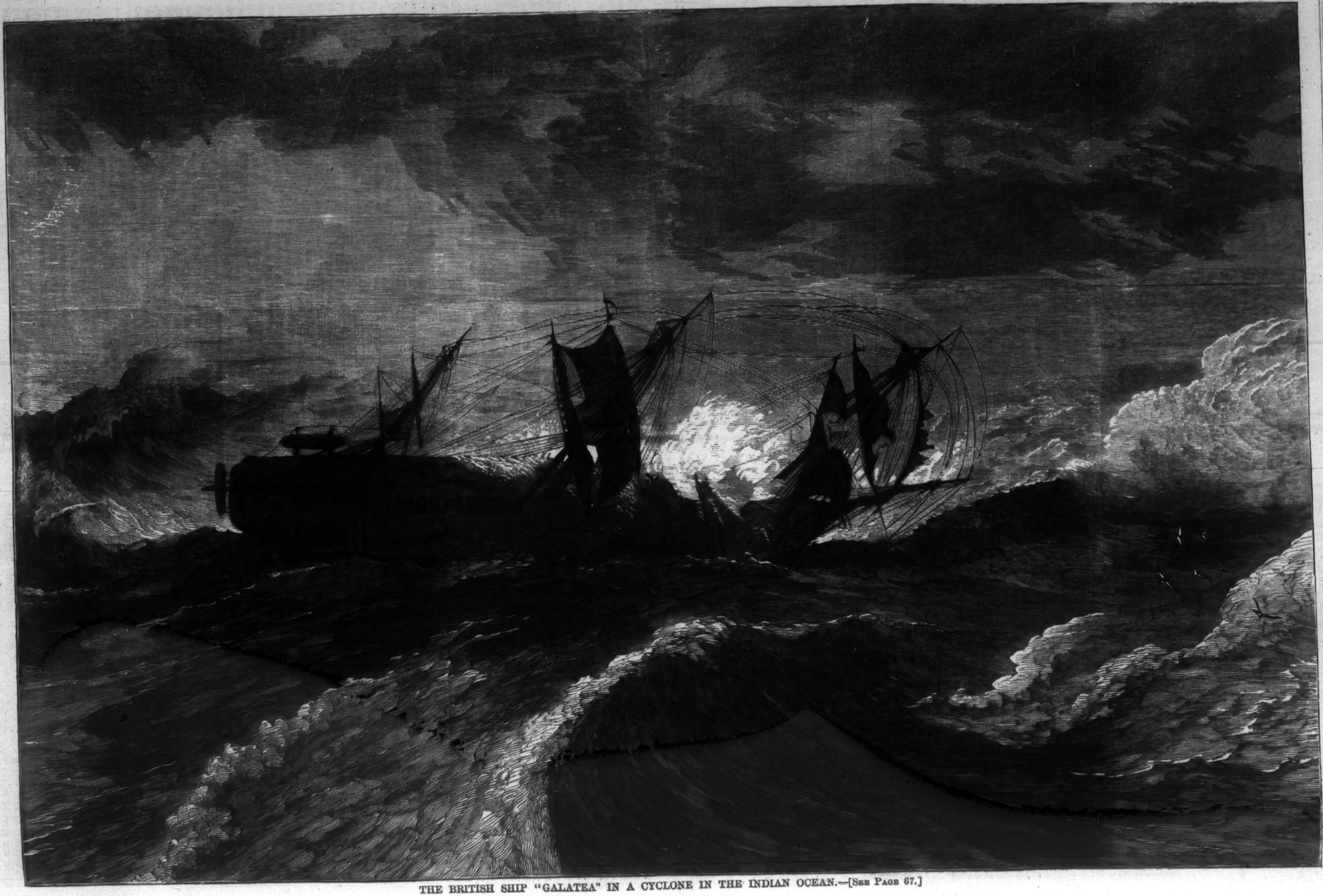
It is a noteworthy fact that simultaneously with the reception of the body of the late Maximilian of Mexico in Vienna, the Kingdom of Italy, of which Maximilian's late possessions of Miramar now form a part, having been wrested from Austria in 1866, officially recognized the restoration of the Mexican Republic by appointing Senor Scovasso as Minister of Italy at the Mexican capital.

GEORGE FRANCIS TRAIN'S ARREST.

George Francis Train, an American citizen of some prominence, was arrested on January 17 on board the steamer *Scotia*, on her arrival at Queenstown, charged with being a Fenian. This action of the British Government created considerable excitement in Washington, but, of course, no official action can or will be taken at present.

THE "GALATEA" IN A CYCLONE.

The "young sailor" Prince of England, His Royal Highness, Alfred, Duke of Edinburgh, is predestined to have an adventurous career. We lately gave some account of his prowess in hunting wild elephants in Africa; now we are called upon to record and illustrate his adventure on board his ship, the *Galatea*, in one of the violent cyclones or "revolving hurricanes" so common in the Indian Ocean. The vessel was on her way from the Cape of Good Hope to Adelaide, Australia, and the cyclone struck her about midnight of October 12. A little before that hour a black arch squall was observed to the westward. This came up rapidly, making the sea foam and boil beneath it, and the wind was distinctly heard screaming along on its path toward the ship. The helm was at once put hard up to keep her head from coming up to the wind, and the fore-yard was braced up to assist the helm; but with all these precautions, although there was no sail on the mizzen-mast, the ship kept so close to the wind as to "spill" (or shake) her maintop-sail with the main-yard square. Bearing away before the squall was, therefore, out of the question, as the ship had such a tendency to come up to the wind. The foretop-sail having been clewed up to furl (owing to the force of the wind, although it could be hardly spared, being required to keep the ship off the wind), and other important matters having been arranged, the main-yard was braced up, and the ship was hove to, under close-reefed maintop-sail, reefed foresail, and forestay-sail—the foretop-mast stay-sail having been blown away previously. The sea was at that time one wide white sheet of hissing foam, and the ship at one time heeled over so much that the men could not keep their footing, many of them being thrown violently down into the lee scuppers. A huge sea struck the ship between the fore and main masts, rising in a dense white mass of spray, which completely hid the foremast. The sky was not all dense and black, but very light at times, when the moon appeared between the clouds in a white misty spot. No serious harm was done to ship or crew; and the royal frigate arrived safely at her destination on October 30.



THE BRITISH SHIP "GALATEA" IN A CYCLONE IN THE INDIAN OCEAN.—[SEE PAGE 67.]

[Entered, according to Act of Congress, in the year 1867, by Harper & Brothers, in the Clerk's Office of the District Court of the United States, for the Southern District of New York.]

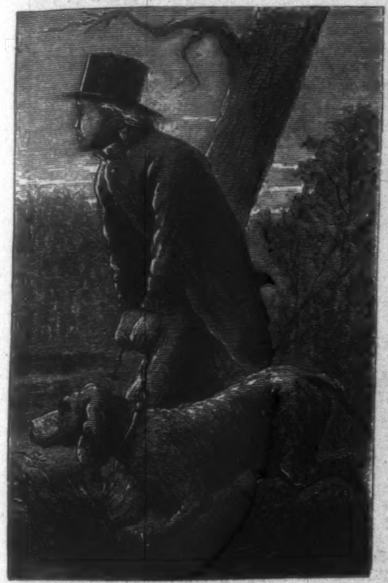
THE MOONSTONE.

By WILKIE COLLINS.

Author of "The Woman in White," "No Name," etc.

Printed from the Author's Manuscript.

RICHLY ILLUSTRATED.



CHAPTER X.

One on the top of the other, the rest of the company followed the Ablewhites, till we had the whole tale of them complete. Including the family, they were twenty-four in all. It was a noble sight to see, when they were settled in their places round the dinner-table, and the Rector of Frizinghall (with beautiful elocution) rose and said grace.

There is no need to worry you with a list of the guests. You will meet none of them a second time—in my part of the story at any rate—with the exception of two.

Those two sat on either side of Miss Rachel, who, as queen of the day, was naturally the great attraction of the party. On this occasion she was more particularly the centre-point toward which every body's eyes were directed; for (to my lady's secret annoyance) she wore her wonderful birthday present which eclipsed all the rest—the Moonstone. It was without any setting when it had been placed in her hands; but that universal genius, Mr. Franklin, had contrived, with the help of his neat fingers and a little bit of silver wire, to fix it as a brooch in the bosom of her white dress. Every body wondered at the prodigious size and beauty of the Diamond, as a matter of course. But the only two of the company who said any thing out of the common way about it were those two guests I have mentioned, who sat by Miss Rachel on her right hand and her left.

The guest on her left was Mr. Candy, our doctor at Frizinghall.

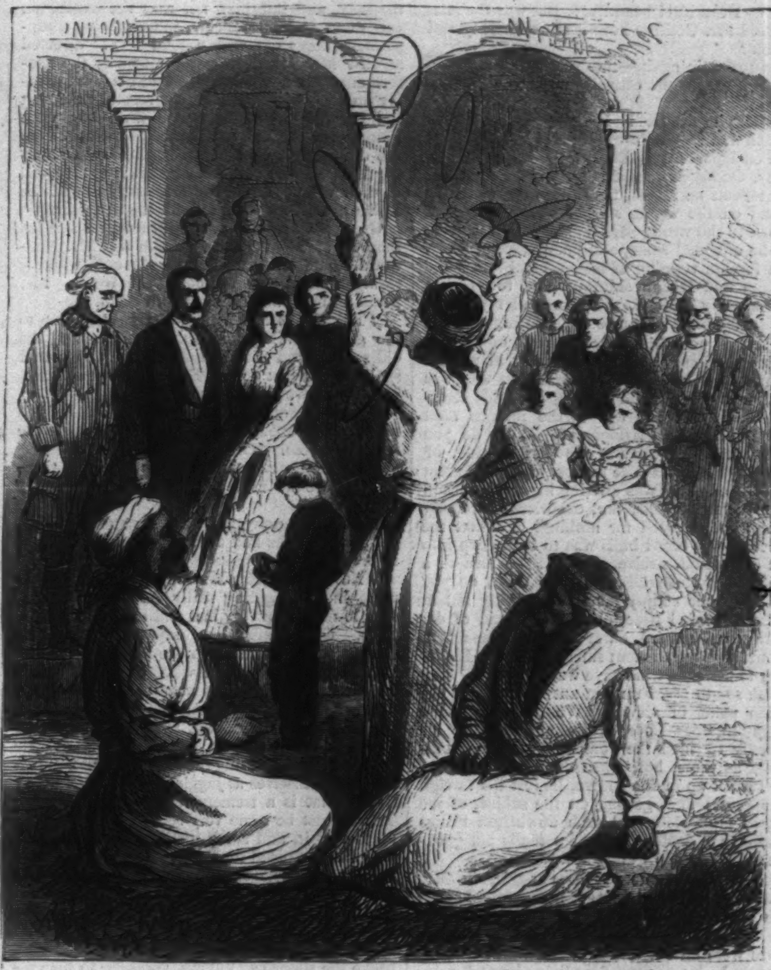
This was a pleasant, companionable little man, with the drawback, however, I must own, of being too fond, in season and out of season, of his joke, and of plunging in rather a headlong manner into talk with strangers, without waiting to feel his way first. In society he was constantly making mistakes, and setting people unintentionally by the ears together. In his medical practice he was a more prudent man; picking up his discretion (as his enemies said) by a kind of instinct, and proving to be generally right where more carefully conducted doctors turned out to be wrong. What *he* said about the Diamond to Miss Rachel was said, as usual, by way of a mystification or joke. He gravely entreated her (in the interests of science) to let him take it home and burn it. "We will first heat it, Miss Rachel," says the doctor, "to such and such a degree; then we will expose it to a current of air; and, little by little—puff!—we evaporate the Diamond, and spare you a world of anxiety about the safe-keeping of a valuable precious stone!" My lady, listening with rather a care-worn expression on her face, seemed to wish that the doctor had been in earnest, and that he could have found Miss Rachel zealous enough in the cause of science to sacrifice her birthday gift.

The other guest who sat on my young lady's right hand was an eminent public character—being no other than the celebrated Indian traveler, Mr. Murthwaite, who at risk of his life had penetrated in disguise where no European had ever set foot before.

This was a long, lean, wiry, brown, silent man. He had a weary look and a very steady attentive eye. It was rumored that he was tired of the humdrum life among the people in our parts, and longing to go back and wander off on the tramp again in the wild places of the East. Except what he said to Miss Rachel about her jewel, I doubt if he spoke six words, or drank so much as a single glass of wine, all through the dinner. The Moonstone was the object that interested him in the smallest degree. The fame of it seemed to have reached him, in some of those perilous Indian places where his wanderings had lain. After looking at it silently for so long a time that Miss Rachel began to get confused, he said to her in his cool immovable way, "If you ever go to India, Miss Verinder, don't take your uncle's birthday gift with you. A Hindoo diamond is sometimes a part of a Hindoo religion. I know a certain city, and a certain temple in that city, where, dressed as you are now, your life would not be worth five minutes' purchase." Miss Rachel, safe in England, was quite delighted to hear of her danger in India. The Bouncers were more delighted still; they dropped their knives and forks with a crash, and burst out together vehemently, "Oh! how interesting!" My lady fidgeted in her chair, and changed the subject.

As the dinner got on I became aware, little by little, that this festival was not prospering as other like festivals had prospered before it.

Looking back at the birthday now, by the light of what happened afterward, I am half inclined to think that the cursed Diamond must have cast a blight on the whole company. I plied them well with wine; and, being a privileged character, followed the unpopular dishes round the table, and whispered to the company, confidentially, "Please to change your mind, and try it; for I know it will do you good." Nine times out of ten they changed their minds—out of regard for their old original Betteredge, they were pleased to say—but all to no purpose. There were gaps of silence in the talk, as the dinner got on, that made me feel personally uncomfortable. When they did use their tongues again, they used them innocently, in the most unfortunate manner and to the worst possible purpose. Mr. Candy, the doctor, for instance, said more unlucky things than I ever knew him to say before. Take one sample of the way in which he went on, and you will understand what I had to put up with at the side-board, officiating as I was in the character of a man who had the prosperity of the festival at heart.



"I CAN'T TELL YOU WHAT TRICKS THEY PERFORMED. OR HOW THEY DID IT."

One of our ladies present at dinner was worthy Mrs. Threadgall, widow of the late Professor of that name. Talking of her deceased husband perpetually, this good lady never mentioned to strangers that he *was* deceased. She thought, I suppose, that every able-bodied adult in England ought to know as much as that. In one of the gaps of silence somebody mentioned the dry and rather nasty subject of human anatomy; whereupon good Mrs. Threadgall straightway brought in her late husband as usual, without mentioning that he was dead. Anatomy she described as the Professor's favorite recreation in his leisure hours. As ill-luck would have it, Mr. Candy, sitting opposite (who knew nothing of the deceased gentleman), heard her. Being the most polite of men he seized the opportunity of assisting the Professor's anatomical amusements on the spot.

"They have got some remarkably fine skeletons lately at the College of Surgeons," says Mr. Candy, across the table, in a loud cheerful voice. "I strongly recommend the Professor, ma'am, when he next has an hour to spare, to pay them a visit."

You might have heard a pin fall. The company (out of respect to the Professor's memory) all sat speechless. I was behind Mrs. Threadgall at the time, plying her confidentially with a glass of hock. She dropped her head, and said, in a very low voice, "My beloved husband is no more."

Unlucky Mr. Candy, hearing nothing, and miles away from suspecting the truth, went on across the table louder and politer than ever.

"The Professor may not be aware," says he, "that the card of a member of the College will admit him, on any day but Sunday, between the hours of ten and four."

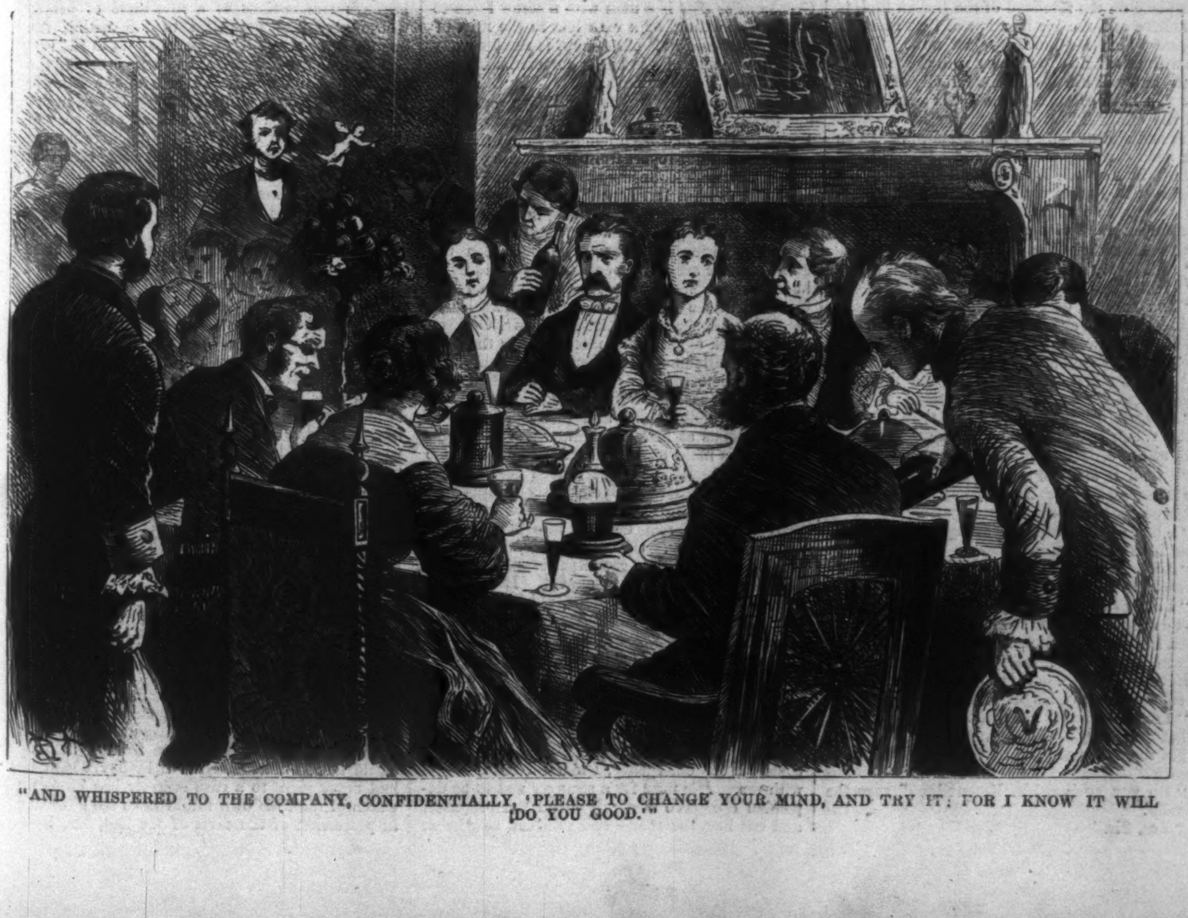
Mrs. Threadgall dropped her head right into her tucker, and, in a lower voice still, repeated the solemn words, "My beloved husband is no more."

I winked hard at Mr. Candy across the table. Miss Rachel touched his arm. My lady looked unutterable things at him. Quite useless! On he went, with a cordiality that there was no stopping anyhow. "I shall be delighted," says he, "to send the Professor my card, if you will oblige me by mentioning his present address?"

"His present address, Sir, is *the grave*," says Mrs. Threadgall, suddenly losing her temper, and speaking with an emphasis and fury that made the glasses ring again. "The Professor has been dead these ten years!"

"Oh, good Heavens!" says Mr. Candy. Excepting the Bouncers, who burst out laughing, such a blank now fell on the company that they might all have been going the way of the Professor, and hailing as he did from the direction of the grave.

So much for Mr. Candy. The rest of them was nearly as provoking in their different ways as the doctor himself. When they ought to have spoken, they didn't speak; or when they did speak, they were perpetually at cross purposes. Mr. Godfrey, though so eloquent in public, declined to exert himself in private. Whether he was sulky, or whether he was bashful, after his discomfiture in the rose-garden, I can't say. He kept all his talk for the private ear of the lady who sat next to him. She was one of his committee-women—a spiritually-minded person, with a fine show of collar-bone and a pretty taste in Champagne; liked it dry, you understand, and plenty of it. Being close behind these two at the side-board, I can testify, from what I heard pass between them, that the company lost a good deal of very improving conversation, which I caught up while drawing the corks, and carving the mutton, and so forth. What they said about their Charities I didn't hear. When I had time to listen to them, they had got a long way beyond their women to be confined, and their women to be rescued, and were buckling to on serious subjects. Religion (I understood them to say, between the corks and the carving) meant love. And love meant religion. And earth was heaven a little the worse for wear. And heaven was earth, done up again to look like new. Earth had some very objectionable people in it; but, to make amends for that, all the women in heaven would be members of a prodigious committee that never quarreled, with



"AND WHISPERED TO THE COMPANY, CONFIDENTIALLY, 'PLEASE TO CHANGE YOUR MIND, AND TRY IT; FOR I KNOW IT WILL DO YOU GOOD.'"

all the men in attendance on them as ministering angels. Beautiful! beautiful! But why the mischief did Mr. Godfrey keep it all to his lady and himself?

Mr. Franklin again—surely, you will say, Mr. Franklin stirred the company up into making a pleasant evening of it?

Nothing of the sort! He had quite recovered himself, and he was in wonderful force and spirits, Penelope having informed him, I suspect, of Mr. Godfrey's reception in the rose-garden. But, talk as he might, nine times out of ten he pitched on the wrong subject, or he addressed himself to the wrong person; the end of it being that he offended some, and puzzled all of them. That foreign training of his—those French and German and Italian sides of him, to which I have already alluded, came out, at my lady's hospitable board, in a most bewildering manner.

What do you think, for instance, of his discussing the lengths to which a married woman might let her admiration go for a man who was not her husband, and putting it in his clear-headed witty French way to the maiden aunt of the Vicar of Frizinghall? What do you think, when he shifted to the German side, of his telling the lord of the manor, while that great authority on cattle was quoting his experience in the breeding of bulls, that experience, properly understood, counted for nothing, and that the proper way to breed bulls was to look deep into your own mind, evolve out of it the idea of a perfect bull, and produce him? What do you say, when our county member, growing hot at cheese and salad time, about the spread of democracy in England, burst out as follows: "If we once lose our ancient safeguards, Mr. Blake, I beg to ask you, what have we got left?"—what do you say to Mr. Franklin answering, from the Italian point of view: "We have got three things left, Sir—Love, Music, and Salad?" He not only terrified the company with such outbreaks as these, but, when the English side of him turned up in due course, he lost his foreign smoothness; and, getting on the subject of the medical profession, said such downright things in ridicule of doctors, that he actually put good-humored little Mr. Candy in a rage.

The dispute between them began in Mr. Franklin being led—I forget how—to acknowledge that he had latterly slept very badly at night. Mr. Candy thereupon told him that his nerves were all out of order, and that he ought to go through a course of medicine immediately. Mr. Franklin replied that a course of medicine, and a course of groping in the dark, meant, in his estimation, one and the same thing. Mr. Candy, hitting back smartly, said that Mr. Franklin himself was, constitutionally speaking, groping in the dark after sleep, and that nothing but medicine could help him to find it. Mr. Franklin, keeping the ball up on his side, said he had often heard of the blind leading the blind, and now, for the first time, he knew what it meant. In this way they kept it going briskly, cut and thrust, till they both of them got hot—Mr. Candy, in particular, so completely losing his self-control, in defense of his profession, that my lady was obliged to interfere, and forbid the dispute to go on. This necessary act of authority put the last extinguisher on the spirits of the company. The talk spurted up again here and there, for a minute or two at a time; but there was a miserable lack of life and sparkle in it. The Devil (or the Diamond) possessed that dinner party; and it was a relief to every body when my mistress rose, and gave the ladies the signal to leave the gentlemen over their wine.

I had just ranged the decanters in a row before old Mr. Ablewhite (who represented the master of the house), when there came a sound from the terrace which startled me out of my company manners on the instant. Mr. Franklin and I looked at each other; it was the sound of the Indian drum. As I live by bread, here were the jugglers returning to us with the return of the Moonstone to the house!

As they rounded the corner of the terrace, and came in sight, I hobbled out to warn them off. But, as ill-luck would have it, the two Bouncers were beforehand with me. They whizzed out on to the terrace like a couple of sky-rockets, wild to see the Indians exhibit their tricks. The other ladies followed; the gentlemen came out on their side. Before you could say "Lord, bless us!" the rogues were making their salams; and the Bouncers were kissing the pretty little boy.

Mr. Franklin got on one side of Miss Rachel, and I put myself behind her. If our suspicions were right, there she stood, innocent of all knowledge of the truth, showing the Indians the Diamond in the bosom of her dress!

I can't tell you what tricks they performed, or how they did it. What with the vexation about the dinner, and what with the provocation of the rogues coming back just in the nick of time to see the jewel with their own eyes, I own I lost my head. The first thing that I remember noticing was the sudden appearance on the scene of the Indian traveler, Mr. Murthwaite. Skirting the half-circle in which the gentlefolks stood or sat, he came quietly behind the jugglers, and spoke to them on a sudden in the language of their own country.

If he had pricked them with a bayonet, I doubt if the Indians could have started and turned on him with more tigerish quickness than they did on hearing the first words that passed his lips. The next moment they were bowing and salaming to him in their most polite and snaky way. After a few words in the unknown tongue had passed on either side, Mr. Murthwaite withdrew as quietly as he had approached. The chief Indian, who acted as an interpreter, thereupon wheeled about again toward the gentlefolks. I noticed that the fellow's coffee-colored face had turned gray since Mr. Murthwaite had spoken to him. He bowed to my lady, and informed her that the exhibition was over. The Bouncers, indescribably disappointed, burst out with a loud "O!" directed against Mr. Murthwaite for stopping the performance. The chief Indian laid his hand humbly on his breast, and said the second time that the juggling was over. The little boy went round with the hat. The ladies withdrew to the drawing-room; and the gentlemen (excepting Mr. Franklin and Mr. Murthwaite) returned to their wine. I and the footman followed the Indians, and saw them safe off the premises.

Going back by way of the shrubbery I smelled tobacco, and found Mr. Franklin and Mr. Murthwaite (the latter smoking a cheroot) walking slowly up and down among the trees. Mr. Franklin beckoned to me to join them.

"This," says Mr. Franklin, presenting me to the great traveler, "is Gabriel Betteredge, the old servant and friend of our family of whom I spoke to you just now. Tell him, if you please, what you have just told me."

Mr. Murthwaite took his cheroot out of his mouth and leaned, in his weary way, against the trunk of a tree.

"Mr. Betteredge," he began, "those three Indians are no more jugglers than you and I are."

Here was a new surprise! I naturally asked the traveler if he had ever met with the Indians before.

"Never," says Mr. Murthwaite; "but I know what Indian juggling really is. All you have seen to-night is a very bad and clumsy imitation of it. Unless, after long experience, I am utterly mistaken, those men are high-caste Brahmins. I charged them with being disguised, and you saw how it told on them, clever as the Hindoo people are in concealing their feelings. There is a mystery about their conduct that I can't explain. They have doubly sacrificed their caste—first, in crossing the sea; secondly, in disguising themselves as jugglers. In the land they live in that is a tremendous sacrifice to make. There must be some very serious motive at the bottom of it, and some justification of no ordinary kind to plead for them, in recovery of their caste, when they return to their own country."

I was struck dumb. Mr. Murthwaite went on with his cheroot. Mr. Franklin, after what looked to me like a little private veering about between the different sides of his character, broke the silence as follows, speaking in his nice Italian manner, with his solid English foundation showing through:

"I feel some hesitation, Mr. Murthwaite, in troubling you with family matters, in which you can have no interest, and which I am not very willing to speak of out of our own circle. But, after what you have said, I feel bound, in the interests of Lady Verinder and her daughter, to tell you something which may possibly put the clew into your hands. I speak to you in confidence; you will oblige me, I am sure, by not forgetting that?"

With this preface he told the Indian traveler (speaking now in his clear-headed French way) all that he had told me at the Shivering Sand. Even the immovable Mr. Murthwaite was so interested in what he heard that he let his cheroot go out.

"Now," says Mr. Franklin, when he had done, "what does your experience say?"

"My experience," answered the traveler, "says that you have had more narrow escapes of your life, Mr. Franklin Blake, than I have had of mine; and that is saying a great deal."

It was Mr. Franklin's turn to be astonished now.

"Is it really as serious as that?" he asked.

"In my opinion it is," answered Mr. Murthwaite. "I can't doubt, after what you have told me, that the restoration of the Moonstone to its place on the forehead of the Indian idol, is the motive and the justification of that sacrifice of caste which I alluded to just now. Those men will wait their opportunity with the patience of cats, and will use it with the ferocity of tigers. How you have escaped them I can't imagine," says the eminent traveler, lighting his cheroot again, and staring hard at Mr. Franklin. "You have been carrying the Diamond backward and forward, here and in London, and you are still a living man! Let us try and account for it. It was daylight, both times, I suppose, when you took the jewel out of the bank in London?"

"Broad daylight," says Mr. Franklin.

"And plenty of people in the streets?"

"Plenty."

"You settled, of course, to arrive at Lady Verinder's house at a certain time? It's a lonely country between this and the station. Did you keep your appointment?"

"No. I arrived four hours earlier than my appointment."

"I beg to congratulate you on that proceeding! When did you take the Diamond to the bank at the town here?"

"I took it an hour after I had brought it to this house—and three hours before any body was prepared for seeing me in these parts."

"I beg to congratulate you again! Did you bring it back here alone?"

"No. I happened to ride back with my cousins and the groom."

"I beg to congratulate you for the third time! If you ever feel inclined to travel beyond the civilized limits, Mr. Blake, let me know, and I will go with you. You are a lucky man."

Here I struck in. This sort of thing didn't at all square with my English ideas.

"You don't really mean to say, Sir," I asked, "that they would have taken Mr. Franklin's life, to get their Diamond, if he had given them the chance?"

"Do you smoke, Mr. Betteredge?" says the traveler.

"Yes, Sir."

"Do you care much for the ashes left in your pipe when you empty it?"

"No, Sir."

"In the country those men came from they care just as much about killing a man as you care about emptying the ashes out of your pipe. If a thousand lives stood between them and the getting back of their Diamond—and if they thought they could destroy those lives without discovery—they would take them all. The sacrifice of caste is a serious thing in India, if you like. The sacrifice of life is nothing at all."

I expressed my opinion upon this that they were a set of murdering thieves. Mr. Murthwaite expressed *his* opinion that they were a wonderful people. Mr. Franklin, expressing no opinion at all, brought us back to the matter in hand.

"They have seen the Moonstone on Miss Verinder's dress," he said. "What is to be done?"

"What your uncle threatened to do," answered Mr. Murthwaite. "Colonel Herncastle understood the people he had to deal with. Send the Diamond to-morrow (under guard of more than one man) to be cut up at Amsterdam. Make half a dozen diamonds of it instead of one. There is an end of its sacred identity as The Moonstone—and there is an end of the conspiracy."

Mr. Franklin turned to me.

"There is no help for it," he said. "We must speak to Lady Verinder to-morrow."

"What about to-night, Sir?" I asked. "Suppose the Indians come back?"

Mr. Murthwaite answered me before Mr. Franklin could speak.

"The Indians won't risk coming back to-night," he said. "The direct way is hardly ever the way they take to any thing—let alone a matter like this, in which the slightest mistake might be fatal to their reaching their end."

"But suppose the rogues are bolder than you think, Sir?" I persisted.

"In that case," says Mr. Murthwaite, "let the dogs loose. Have you got any big dogs in the yard?"

"Two, Sir. A mastiff and a blood-hound."

"They will do. In the present emergency, Mr. Betteredge, the mastiff and the blood-hound have one great merit—they are not likely to be troubled with your scruples about the sanctity of human life."

The strumming of the piano reached us from the drawing-room as he fired that shot at me. He threw away his cheroot, and took Mr. Franklin's arm, to go back to the ladies. I noticed that the sky was clouding over fast as I followed them to the house. Mr. Murthwaite noticed it too. He looked round at me in his dry, drolling way, and said:

"The Indians will want their umbrellas, Mr. Betteredge, to-night!"

It was all very well for *him* to joke. But I was not an eminent traveler; and my way in this world had not led me into playing ducks and drakes with my own life among thieves and murderers in the outlandish places of the earth. I went into my own little room, and sat down in my chair in a perspiration, and wondered helplessly what was to be done next. In this anxious frame of mind other men might have ended by working themselves up into a fever; *I* ended in a different way. I lit my pipe, and took a turn at Robinson Crusoe.

Before I had been at it five minutes I came to this amazing bit—page one hundred and sixty-one—as follows:

"Fear of Danger is ten thousand times more terrifying than Danger itself, when apparent to the Eyes; and we find the Burthen of Anxiety greater, by much, than the Evil which we are anxious about."

The man who doesn't believe in Robinson Crusoe after *that* is a man with a screw loose in his understanding, or a man lost in the mist of his own self-conceit! Argument is thrown away upon him; and pity is better reserved for some person with a livelier faith.

I was far on with my second pipe, and still lost in admiration of that wonderful book, when Penelope (who had been handing round the tea) came in with her report from the drawing-room. She had left the Bouncers singing a duet—words beginning with a large "O," and music to correspond. She had observed that my lady made mistakes in her game of whist for the first time in our experience of her. She had seen the great traveler asleep in a corner. She had overheard Mr. Franklin sharpening his wits on Mr. Godfrey, at the expense of Ladies' Charities in general; and she had noticed that Mr. Godfrey hit him back again rather more smartly than became a gentleman of his benevolent character. She had detected Miss Rachel, apparently engaged in appeasing Mrs. Threadgall by showing her some photographs, and really occupied in stealing looks at Mr. Franklin, which no intelligent lady's maid could misinterpret for a single instant. Finally, she had missed Mr. Candy, the doctor, who had mysteriously disappeared from the drawing-room, and had then mysteriously returned, and entered into conversation with Mr. Godfrey. Upon the whole, things were prospering better than the experience of the dinner gave us any right to expect. If we could only hold on for another hour, old Father Time would bring up their carriages, and relieve us of them altogether.

Every thing wears off in this world; and even the comforting effect of Robinson Crusoe wore off after Penelope left me. I got fidgety again, and resolved on making a survey of the grounds before the rain came. Instead of taking the footman, whose nose was human, and therefore useless in any emergency, I took the blood-hound with me. *His* nose for a stranger was to be depended on. We went all round the premises, and out into the road—and returned as wise as we went, having discovered no such thing as a lurking human creature any where. I chained up the dog again for the present; and, returning once more by way of the shrubbery, met two of our gentlemen coming out toward me from the drawing-room. The two were Mr. Candy and Mr. Godfrey, still (as Penelope had reported them) in conversation together, and laughing softly over some pleasant conceit of their own. I thought it rather odd that those two should have run up a friendship together—but passed on, of course, without appearing to notice them.

The arrival of the carriages was the signal for the arrival of the rain. It poured as if it meant to pour all night. With the exception of the doctor, whose gig was waiting for him, the rest of the company went home snugly under cover in close carriages. I told Mr. Candy that I was afraid he would get wet through. He told me, in return, that he wondered I had arrived at my time of life without knowing that a doctor's skin was water-proof. So he drove away in the rain, laughing over his own little joke; and so we got rid of our dinner company.

The next thing to tell is the story of the night.

ON A SPITEFUL LETTER.

By ALFRED TENNYSON.

Here, it is here—the close of the year,
  And with it a spiteful letter.
My fame in song has done him much wrong,
  For himself has done much better.

O foolish bard, is your lot so hard,
  If men neglect your pages?
I think not much of yours or of mine:
  I hear the roll of the ages.

This fallen leaf, isn't fame as brief?
  My rhymes may have been the stronger.
Yet hate me not, but abide your lot:
  I last but a moment longer.

O faded leaf, isn't fame as brief?
  What room is here for a hater?
Yet the yellow leaf hates the greener leaf,
  For it hangs one moment later.

Greater than I—isn't that your cry?
  And I shall live to see it.
Well, if it be so, so it is, you know;
  And if it be so—so be it!

O summer leaf, isn't life as brief?
  But this is the time of hollies.
And my heart, my heart is an evergreen:
  I hate the spites and the follies.

ELEVEN THOUSAND POUNDS.

"Take care of it, Hugh."

"All right, Sir; good-morning."

"Good-morning;" and Mr. Hugh Randall put on his hat, and, passing through the bank, took his way into the town with £11,000 under his charge.

Oh, Hugh, Hugh, did it never occur to you that pockets *have* been picked before now, and that some such trifle as a few odd thousands might not come amiss to any one who, with limited means of his own, was desirous of increasing them at his neighbors' expense? Whether the thought of danger entered his mind or not, Hugh risked it, and went leisurely on his way, for Mr. Hugh was one of those people who make a point of never being unduly excited. He was frequently employed in the execution of such transactions as the present between his uncle's bank and the other banks of the city; consequently he felt much at home when, on reaching his destination, he marched up to that portion of the bank counter which was appropriated to the business transactions of a multitude of people whose surnames happened to fall within the bounds marked out by the letters "L to R."

The elderly and precise clerk who occupied the high stool on the opposite side of the counter was almost shaken out of his propriety by Hugh's start and confused exclamation, as, after searching vainly in the depths of his pockets for the precious notes, the fact dawned upon him that they were gone, unmistakably gone.

"What's the matter, Mr. Hugh?" "What is it?" was repeated more than once before his scattered senses were recalled, and then the query was only met by another, and one which, alas! was not to be so easily answered. "What *am* I to do?" were the words which he at last stammered out. Had any one kindly suggested some plan by which he might, without loss of time, have shipped himself for the antipodes, no doubt Hugh would gladly have adopted it; and perhaps his gratitude would have been quite as great had the floor opened and swallowed him up, hiding from his bewildered eyes the inquiring faces around, which seemed to be dancing waltzes with the green lamp-shades, to the sound of the sovereigns clinking in the little scales. Unfortunately, neither of these favorable openings presented itself, and, in default of either, he returned in the most crest-fallen condition, as fast as a Hansom cab could carry him, to the room which he had left so complacently less than an hour before.

How Hugh managed his confession he could never afterward remember; but nothing could efface the recollection of the grave kindness which, amidst his extreme annoyance, his uncle showed toward himself, and which was harder to bear than the sternest reproofs. Half unconsciously, Hugh felt that even then the uncle, who had been as a father to him, had not forgotten the young brother, whose dying message from a field of battle had commended the baby-boy whom he had never seen, to a care scarcely less kind and watchful than his own might have been. Once in possession of the facts of the loss, Mr. Randall's views instantly shaped themselves into the definite form of "the police station," whither the hapless steed of the patent Hansom was urged by every inducement that could be afforded by the driver's whip, to which, but for a lingering sense of propriety, Hugh would fain have added the strokes of his umbrella.

As he and his uncle were ushered into the inspector's presence, Hugh experienced, to an uncomfortable degree, a return of the feelings which years ago possessed him, when the discipline of school life brought him into unpleasantly close communication with the head-master. The inspector was a gentleman who had seen many days since that eventful one on which he rose from the inferior position which called for the exhibition of his prowess in whatever field might be afforded by the streets for its display; consequently his personal appearance had now assumed a portly dignity much in accordance with his more domestic, but doubtless immeasurably more elevated, sphere of labor. He had apparently been aroused from an afternoon doze by the entrance of his visitors; but the air of dull business which he had contrived to assume very soon gave place to an excitement which he could scarcely conceal under a veil of decorous sorrow for Mr. Randall's loss. Rubbing his hands, he took up his position behind an official-looking desk, and proceeded to subject Hugh to a rigorous cross-examination upon every particular of the theft. Poor Hugh! he began to feel as if the thumb-screw itself would be a mild form of treatment compared with the neatly-turned questions by which the inspector made him confess himself guilty of the most egregious carelessness in the presence of his uncle, and one or two attendant policemen, who he *felt* were standing behind him open-mouthed with wonderment, in contemplation of the phenomenon of a man who, having come to years of discretion, had been so devoid of common-sense as to walk down a crowded thoroughfare, in the busiest part of the afternoon, with eleven thousand pounds in his coat-tails. The examination—which indeed elicited little else—being ended, an ominous silence ensued, broken after a few minutes by the inspector, who, striking his hand on the desk, ejaculated, "I have your man!" with a warmth which almost made the two gentlemen expect to see the flattened form of the thief lying upon the desk when the official hand was withdrawn. Further explanations put them in possession of the fact that a celebrated detective was at the moment in the city, nay, in the very police-station itself, having come down from London in the course of an investigation in which he was engaged; "and," added the inspector, "if any one can find your money, he's the man."

Mr. Taplin soon added his presence to the council of war. He was a great contrast to his brother official, being rather below the middle height, and of a spare, wiry figure; and was, moreover, possessed of sharply-cut features and a pair of keen gray eyes, which, without the smallest symptom of restlessness, seemed to take in to the full every thing around. As Hugh glanced from the one man to the other, the vision of a bull-dog and a greyhound flashed through his mind, and he instinctively came to a conclusion as to which of the two was the more likely to run down the game. His meditations were brought to a close by the request for "particulars," and once more he went through the meagre details, which he felt only sufficed to make him an object of pity to all beholders. Wasn't it enough to have made away with eleven thousand pounds of other people's money, without having perpetually to refresh his memory on the subject? and he felt strongly moved to appropriate to his own case sundry poetical similes of "stags at bay," "hunted lions," and so forth; consequently the detective's assurance of his certainty that the money was on its way either to London or America was rather crossly received.

"I don't see what's the use of your being certain," he answered, somewhat sharply; "better say the North Pole at once; I should be quite as likely to find it."

Mr. Taplin vouchsafed no other reply than the shadow of a smile, showing his pitying sense of the young man's inability to estimate the extent of *his* resources. He was not one of the people who carry on all their mental processes outside their heads, and a silence fell on the whole party for several minutes, during which, with amazing rapidity of thought, the detective laid his schemes, the first step in which was a visit to the post-office just before the bags were made up.

By that time Hugh's fit of injured innocence had been succeeded by despondency, and he watched with extreme anxiety while, in accordance with the detective's directions, the registered letters were spread out before them. There was a line which bounded even Mr. Taplin's powers; here he might look, but he might not touch. As he bent over the letters Hugh saw a flash of pleasure in the gray eye as it rested on an envelope addressed, in a scrawling hand, to "Mrs. G. Hopkins, 19 P—— Street, London." The detective just laid one finger on it, turned to Hugh, and said, with an emphasis which carried weight with it, "Your money is in that letter, or it's gone beyond our reach. You must come up to town with me to-night."

A few hours later the two were shooting along the line on their way to London. Now, if there was one thing which Hugh Randall hated more than another, it was traveling by night, and with the words "wild-goose chase" running races with each other in his head, he was not likely to look with favor on the present expedition, or to compose himself very tranquilly to sleep. The middle-aged gentleman by his side was soon snoring sonorously; the old lady at the farther end of the carriage began a gentle accompaniment; and Hugh was reduced to watching, with some degree of interest, the young lady whom she chaperoned, while she divested herself of her bonnet, and enveloped her brown hair in a bewitching arrangement of blue wool, such as he now beheld for the first time in perfection, having hitherto only seen the article in a transition state, trussed on the knitting-pins with which his sisters toiled in anticipation of a bazar which was to come off the following Christmas. But even this little amusement was soon denied; for the wearer, evidently being disposed to follow her chaperon's example and go to sleep, Hugh withdrew his eyes, only to meet the perfectly sleepless ones opposite. He tried a few scraps of conversation, but Mr. Taplin appeared more disposed for meditation, and Hugh sought solace in the contemplation of the same scene reversed, as reflected in the window-pane. He grew provoked as time went on, and sleep, which reigned undisturbed at the other end of the carriage, entirely declined to visit either his companion or himself. "Not that I think he wants it," he soliloquized; "I never saw any thing like those eyes, so terribly wide-awake. I don't believe a fly could stir in that carriage and he not see it. I wonder if he thinks that old lady is a 'case;' how he looks at her!" In a few moments more Hugh was rushing, in his dreams, no more along a material railway, but down a fathomless abyss in pursuit of a Hansom containing a stout old lady in a blue head-dress trimmed with bank-notes, who was being driven to Newgate by Mr. Taplin. He awoke, with a start, to encounter the gray eyes over which no veil of drowsiness had fallen; and when the hours of the weary night had dragged through, and a succession of equally unpleasing dreams had given way to the cold reality of a London station in the early dawn, the detective was as perfectly himself as though he had enjoyed hours of refreshing sleep, and the ringing cheerful voice which proposed a bath and breakfast sounded wonderfully fresh and pleasant.

The curtain next rises upon a trio passing along the streets of London. This trio consisted of our two friends and the postman in whose beat P—— Street was situated. By a hasty visit to the district post-office, Mr. Taplin had possessed himself of such information as was necessary for his purpose, and having given minute directions to the postman, had joined him again when he reached the street. All hopes of seeing the money had faded from Hugh's mind again and again, but his heart beat faster than usual as they turned into the dingy-looking street in which the last scene of the play was to be enacted, and by the time they reached the door of No. 19 it was beating like a sledge-hammer. Taplin desired him to be quite quiet, and by a look enforced on the postman the remembrance of the directions he had given; for the detective was far too canny to risk, by their reiteration, the calmness upon which the chance of their being carried out depended.

The double knock was quickly answered, and Hugh started back almost as if he were the thief when the door opened, only disclosing, however, a rather showy-looking woman. Mr. Taplin stood back, just hidden from her sight, but in the quiet of the dull street every word came distinctly through the frosty morning air.

"Registered letter. 'Mrs. G. Hopkins.' Can she sign the paper?"

Then the answer: "I am Mrs. Hopkins. Give it here."

In accordance with his orders the postman only produced the paper, while apparently searching in his pouch for the letter. Mrs. Hopkins took the bait most satisfactorily, walked away, and after a few moments of suspense the anxious listeners heard her footsteps as she returned with the signed paper and handed it to the postman, who then placed the letter in her hand. In another moment—Hugh scarcely knew how, so rapid was the change—the postman was doubling round the corner of the street, with a well-earned coin in his pocket, and Mr. Taplin was in the narrow passage, and had snatched the letter from its owner's hand. As Hugh pressed up to his side he tore open the seal, and the rustling notes lay in his hand! Hugh could scarcely believe his eyes; but a motion of his companion checked the torrent of wonder that was rushing from his lips. The unhappy woman had realized something of what had happened, and, with a faint cry of "It's all up with us!" fell back against the wall. A feeling akin to reverence took possession of Hugh Randall, as, without a shade of triumph in the success of his work, the detective supported her into the shabby parlor, and laid her on the black horse-hair sofa. It was a daring and perilous move to seize the letter, but his instructions certainly led him to run the risk. With a muttered "Are there no womenkind in the house?" he left the room, and Hugh heard the firm step sounding along the passage, and the clear voice calling at the top of the stairs, "Here, Betty—Susan—whatever your name is, where are you?" A slatternly maid-of-all-work answered the summons, in no small amazement at the sight of two strange gentlemen, and to her charge Mr. Taplin left her mistress, while he and Hugh assured themselves of the identity and completeness of the notes. Mrs. Hopkins soon recovered sufficiently to pour out a flood of tears and bewildered lamentations; but with calm patience the detective at length drew from her the facts which he needed. "Ah," she cried, bitterly, "he told me he would make our fortune this time, and I should have plenty then. He drank every thing he made before, the wretch! and left me here in this miserable hole. But I'll be revenged on him yet."

"Ah, poor thing! poor thing!" remarked the detective to Hugh; "there are generally women mixed up in this sort of thing. Money stolen in this sort of way is almost always sent to women. I suppose they think it is not so likely to be suspected."

As they left the room, when Mr. Taplin had made such arrangements as suited his good will and pleasure, he desired Hugh to look at a photograph hanging in a frame over the chimney-piece, and no sooner were they in the street than, with the wonder with which one watches yards of many-colored ribbon drawn out from a conjuror's ears, Hugh beheld issuing from Mr. Taplin's pocket-book the duplicate of the *carte*. "That's the man," observed Mr. Taplin at last, with a ring of triumph even in his calm voice, "after whom I came down to your parts. Strange, now, isn't it? That was a little matter which took place weeks ago, and we were altogether off the scent. Well, we got on a new track early this week, and I went down, believing if I caught my bird any where it would be there. Then your business turned up, and, like a flash, it crossed my mind that in finding out the one I should just be carrying on the work I came after. I can't in any way account for it, but that was my impression; and you see how true it was. I knew enough of the fellow I was after to be pretty sure that, if your notes were in his hands, they would either come to town or go direct to America. But it was just a toss up between the two; and I should have been altogether at sea if it hadn't been for seeing this letter at the office. When I saw 'Mrs. Hopkins' I was as sure as that I was a living man that the money was there, for I knew 'Hopkins' was one of my man's *aliases*, though he was going by another name when he did the bit of work about which I went north. It was a queer thing seeing the photograph which I had to trace him by, and which had gone about in my pocket these few weeks till I knew the face as well as my own, hanging up over that poor thing's fire-place."

And so Hugh Randall went home again, not grudging his five hundred miles' journey, inasmuch as he carried with him eleven thousand pounds—but not in his coat-pocket.

HUMORS OF THE DAY.

Not so Bad as they Seem.—Mistresses show more consideration for their servants than is generally supposed. Not long ago Mrs. Fidgitt was heard telling Mary Ann that she had been scouring the whole house for her.

What is the key-note of good-breeding?—B natural.

What would this world be without a woman?—A perfect blank—like a sheet of paper—not even *ruled*.

Brown, on his first journey per coach, not long ago, worried the driver beside whom he sat with incessant childish questions about every thing on the road. At last he gave his quietus thus:

Driver. "There's been a woman lying in that house more than a month, and they haven't buried her yet."

Brown. "Not buried her yet! Pray tell me why not?"

Driver. "Because she isn't dead."

WANTED.

A pair of spectacles to suit the eyes of potatoes. The club with which an idea struck the poet. A stick to measure narrow escapes. The identical hook and line with which an angler caught a cold. An umbrella used in the reign of tyrants. A knot from the board a man paid seven dollars a week for.

At the time when we were in the midst of our war-flurry, and men had got their piety and their patriotism so mixed up that they didn't know which from t'other, the elder of one of our populous churches, having finished his sermon and closed his Bible, looked round upon his congregation with a countenance which indicated that he had something of importance to communicate. The audience, as in duty bound, rustled a little, and then subsided into the silence of intense expectation. After the suspense proper before the delivery of a weighty matter the elder opened his mouth and announced: "The closing prayer will be made by *a brother-in-law of General Grant.*"

A little boy in Lowell was asked how many mills make a cent.

"Ten, Sir," was the prompt reply.

Immediately a bright-faced little girl held up her hand in token of dissent.

"Well, miss, what have you to say?"

"Please, Sir, ten mills don't make a cent. Pa says all the mills in town don't make a cent."

A Fur-tive Joke.—Why would it be economical to present your wife with a seal-skin cloak?—Because it would hirsute as long as she lived.

Touching Melody.—The most affecting instance of the power of music is that presented by the troubadour mentioned in the song. He sang so sweetly that he actually "touched his guitar."

A bright, keen little girl was much interested in preparing for an excursion about to take place. A clergyman jocosely asked her if she could repeat the alphabet backward. She said, "No, Sir," when the gentleman remarked, "Then you can't go on the excursion." She looked very demure for a moment, when she asked, "Can you say the Lord's Prayer backward?" "No, dear." "Then," replied the girl, "you can't go to heaven." Her interrogator stopped.

Very Irish rendering of an old Song—"'Tis my *Day*light on a shiny night!"

A subscription paper was lately circulated with the following object in view: "We subscribe and pay the amount opposite our names for the purpose of paying the organist and a boy to *blow the same!*"

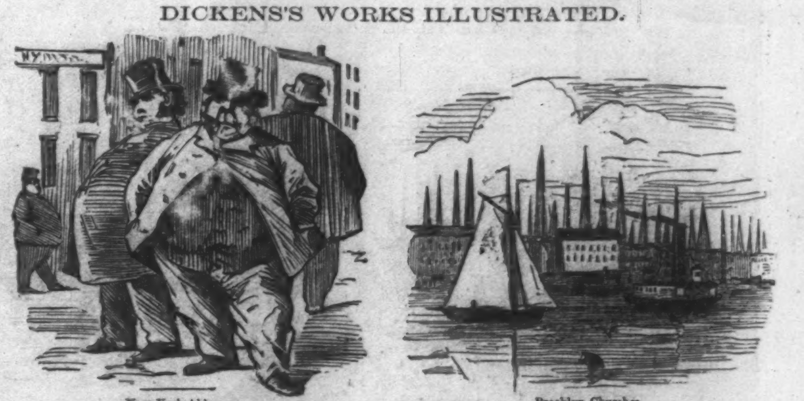
An enthusiastic lover says the first time he was kissed he felt like a tub of roses swimming in honey, Cologne, nutmegs, and cranberries. He felt also as if something was running through his nerves on feet of diamonds, escorted by several little cupids in chariots drawn by angels, shaded by honey-suckles, and the whole spread with melted rainbows.

A marriage-license issued in Washington was returned with the indorsement, "She wouldn't have me." Poor fellow!

An Iowa editor suggests that every man be allowed to marry as many wives as are required to wash, cook, and keep house for him. He has been unfortunate in procuring servants.

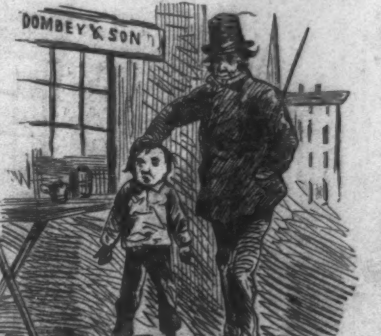
"Boy," said an ill-tempered old fellow to a noisy lad, "what are you hollerin' for when I am going by." "Humph!" returned the boy, "what are you going by for when I am hollerin'?"

DICKENS'S WORKS ILLUSTRATED.

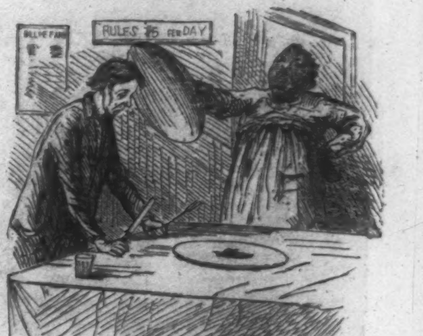


New York Aldermen. Brooklyn Churches.

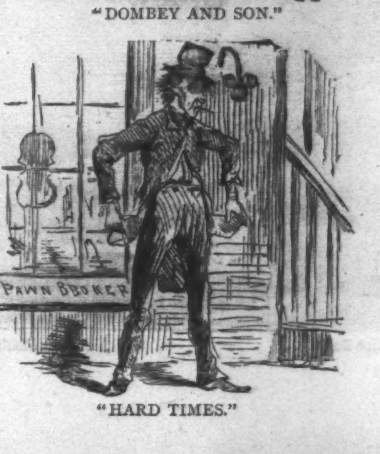
"A TALE OF TWO CITIES."



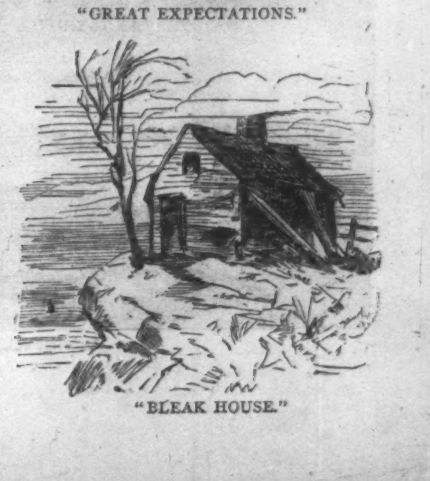
"DOMBEY AND SON."



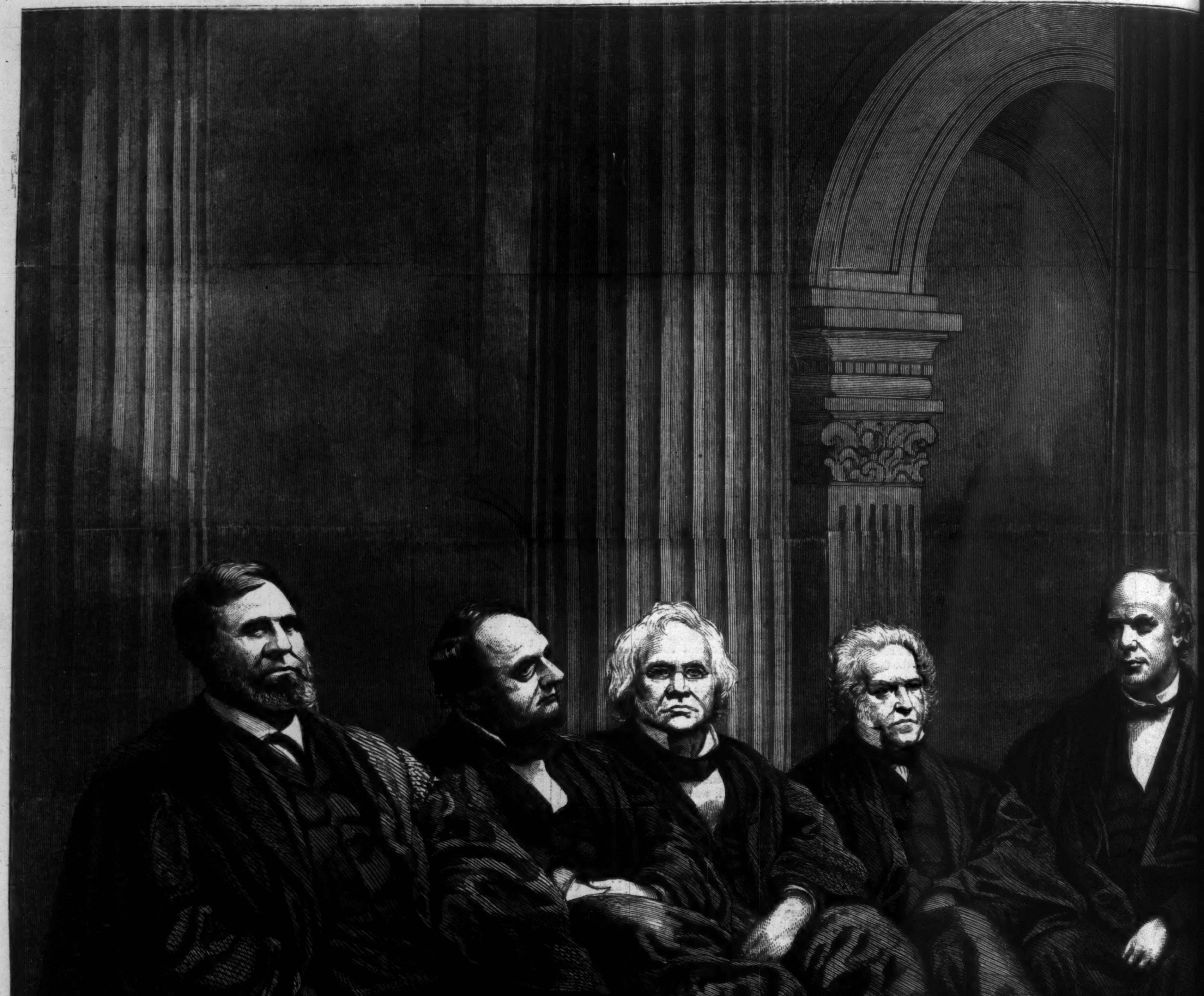
"GREAT EXPECTATIONS."



"HARD TIMES."

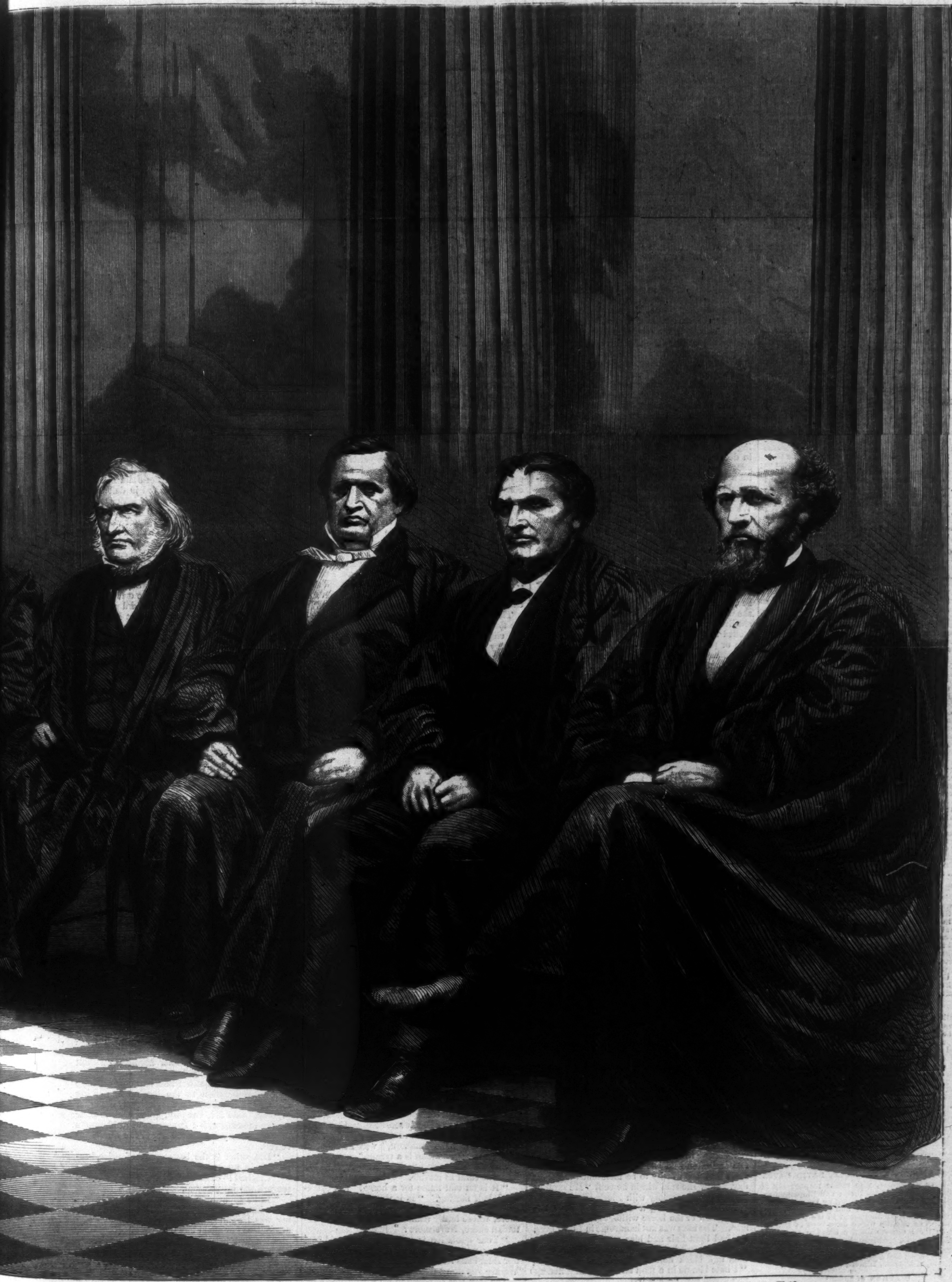


"BLEAK HOUSE."



Associate Justice Davis. Associate Justice Swayne. Associate Justice Grier. The late Associate Justice Wayne. Chief Justice Chase.

THE CHIEF JUSTICE AND ASSOCIATE JUSTICES OF THE SUPREME COURT OF



Associate Justice Nelson. Associate Justice Clifford. Associate Justice Miller. Associate Justice Field.

F E UNITED STATES.—Photographed by A. Gardner, Washington, D.C.—[See Page 74.]

THE JUSTICES OF THE UNITED STATES SUPREME COURT.

As we write this article Congress is engaged in debating a bill further regulating the jurisdiction of the Supreme Court of the nation by declaring what shall constitute a quorum of the Justices of the Supreme Court; doubtless before it shall reach the eyes of our readers that body, the highest judicial tribunal in the land, will be invested with the new power which this bill contemplates giving it. In view of this fact, and the additional importance given to the Chief Justice and his assistants, a great deal of interest has been manifested to know more of them; and we therefore give on other pages of this issue of the *Weekly* accurate portraits of Mr. Chase and the Assistant Justices. Our engraving is taken from an imperial photograph recently published at Washington by Mr. Alexander Gardner. It represents the members of the court attired in the official robes worn by them when upon the bench, but seated in their private room or consultation-chamber, not in the hall of the Supreme Court.

The sessions of the court for hearing arguments and deciding causes are held always at Washington, commencing on the first Monday of December and continuing through the winter, a greater or less time according to the amount of business before it. During the spring, summer, and fall, the judges are largely occupied in holding circuit courts for the trial of causes, each one of them having a circuit composed of various States assigned to him.

Below will be found brief biographical sketches of the Chief Justice and his assistants at the time when our photograph was taken.

CHIEF JUSTICE SALMON P. CHASE.

The public life and services of Chief Justice Chase are familiar. They were recapitulated in an article in this journal published soon after his elevation to the Chief-Justiceship. A native of New Hampshire, his removal in youth to Ohio was followed by calls to public service in that State in several important positions, culminating in an election to the United States Senate for the period from 1849 to 1855; to the Governor's chair in 1855; and again in 1857; and again to the Senate in 1860; soon after which he accepted the port-folio of the Treasury Department in President Lincoln's cabinet. He was appointed by that magistrate Chief Justice of the Supreme Court on December 6, 1864, to succeed Judge Taney, then recently deceased. As a jurist he has been distinguished by the exhibition of a ripe and comprehensive knowledge of actual affairs, and for a judicious and sound application to them of legal principles, together with a high degree of administrative ability—a quality in which many profound and learned judges do not excel, but which is of the highest value in the position which he fills. He has thus far held the fourth circuit, comprising Maryland, the Virginias, and the Carolinas.

JAMES M. WAYNE,

The senior of the Associate Justices at the time when our illustration was taken, is now no longer living. He was a native of Savannah, Georgia; was educated at Princeton College; chose the law for his profession, and commenced practice in his native city; but was early called upon to enter public life. After filling acceptably several official stations in the State he was elected to Congress where he served until 1835, in which year he was appointed to the Supreme Court by President Jackson. He was esteemed as a sound and accomplished judge; and his opinions, particularly within the department of admiralty law, to which he devoted special study, were highly respected. His death occurred at Washington early in July, 1867, the result of typhoid fever. It created, however, no vacancy in the Court. By a statute passed in 1866, Congress provided that no vacancy in the office of Associate Justice shall be filled until the number of Associates becomes reduced to six,

SAMUEL NELSON

Is, since the decease of Justice Wayne, the senior member of the Court, in the order of appointment. His commission dates from February 14, 1845; but he had previously had a long judicial experience in the State courts of New York. From 1823 to 1831 he was, under the former judicial organization of this State, one of the "circuit judges," and from 1831 to 1845, he was, first a Justice, and afterward Chief Justice of the Supreme Court of the State. As a member of the United States Supreme Court, he presides over the Second Circuit, comprising New York, Vermont, and Connecticut; in which the volume of judicial business is unusually heavy, varied, and important. His residence is at Cooperstown, in this State.

ROBERT COOPER GRIER

Is a native of Pennsylvania; born March 5, 1794. His father was a distinguished and successful teacher, and Judge Grier in early life assisted and succeeded his father in the duties of his position as the head of a college at Northumberland, Pennsylvania; at the same time prosecuting his legal studies. In 1817 he commenced the practice of law, which he continued until 1838, when he was appointed "President Judge" of the District Court of Alleghany County. In 1846 he was appointed and unanimously confirmed a Justice of the United States Supreme Court. His Circuit is the Third, embracing Pennsylvania, New Jersey, and Delaware, and his residence is Philadelphia.

NATHAN CLIFFORD

Is a native of New Hampshire; but his public career has been chiefly associated with the State of Maine, to which he removed in 1827. After serving as member (and Speaker) in the State Legislature, as Attorney-General of the State, and as Representative in Congress from Maine, he became, in 1846, Attorney-General of the United States. He was a Commissioner and afterward Minister from our Government to Mexico, upon the conclusion of the Mexican war. After an interval spent in professional business at home he was, in 1858, appointed to the Supreme Court by President Buchanan. He presides in the first circuit, his predecessors in it being Story, Woodbury, and Curtis. The decisions in this circuit have always held a very eminent place in American jurisprudence, and have been reported in a nearly continuous series down to a recent date. A series of reports of Judge Clifford's decisions is, we believe, nearly ready for publication.

NOAH H. SWAYNE, S. F. MILLER, DAVID DAVIS.

These three gentlemen, who reside respectively at Columbus, Ohio; Keokuk, Iowa; and Bloomington, Illinois, were all appointed in 1862 by President Lincoln. Their previous public and professional services were extensively mentioned in the journals of the time. The circuits which have been of late assigned to them are—to Justice Swayne the sixth, consisting of Ohio, Michigan, Kentucky, and Tennessee; to Justice Miller the eighth, of Minnesota, Iowa, Missouri, Kansas, and Arkansas; and to Judge Davis the seventh, of Indiana, Illinois, and Wisconsin.

STEPHEN J. FIELD

Is one of a famous quadrate of brothers, the other three being David Dudley, distinguished as an advocate and successful friend of law reform; Cyrus W., the founder of the Atlantic Telegraph; and Henry M., the religious journalist and author. Judge Field is, we believe, a native of the East, but his professional life, before his appointment to the Supreme Court, was spent in California. He was, from 1857 to 1859, an Associate Justice, and from 1859 to 1863 the Chief Justice of the Supreme Court of that State. This period was the era of litigation in land claims. While California was under the dominion of Spain and Mexico, her wild lands were, for the encouragement of colonization, freely granted to persons who would engage to make settlements upon them. The treaty by which California was ceded to the United States provided for the protection of private claims founded upon these grants. The cession and the discoveries of gold gave great value to these tracts, which had been comparatively worthless a few years previous, and a class of lawsuits arose very suddenly, almost without precedent for number, intricacy, difficulty, and importance, the appeals in which overburdened the Supreme Court. It is understood that Judge Field's conversance with the recondite rules and unfamiliar usages which prevailed in the former governments of California has been an important aid in enabling the Court to develop the harmonious and philosophic system of jurisprudence by which those titles have now very generally become adjudicated.

LOIS AMBLER.

"An old maid!"

That was what the young people of St. Paul's began to say of Lois Ambler.

St. Paul's was the pretentious name of the unpretending church where Lois and the young people made feint of worshiping. We say feint, because so few of us, even the best, ever do more than make feint of worshiping.

Lois Ambler's own brothers and sisters began to say, "An old maid for certain."

Lois herself, in her own chamber, sitting in a low rocking-chair at the window, looked out into the gathering autumn twilight, and wrote of herself "Old maid." Not with pen or pencil did Lois write. She had laid them carefully aside an hour before in the little desk at the other side of the room, and her hands were folded now, oh, so still! over her white-aproned lap. But Lois, without ink or paper, was writing earnest words. They were not words written to-day to be recalled to-morrow. They were not careless, jesting words. They were words like those we find in deeds and dead men's wills, full of power to execute their purpose. There is something fearful about such words. They are absolute as inevitable necessity; they are inexorable as fate. Lois Ambler was very calm as she wrote them. We are nervous over our trifling words, our little acts, our petty griefs, our small joys; when we speak our solemn words we are grave; when we do our great deeds we are calm; in the presence of our deep griefs we are still; the intensity of our great joys makes us quiet.

Lois was a girl of deep feelings. Some people thought not. Looking at her quiet face and dignified manner—a manner that seldom forsook her, even when her face lost its quiet—they said she was not impressible nor warm-hearted, hence she lived in a perpetual calm. These people only looked at the surface of things. They had no line or plummet to measure heights and depths of human character. Their judgments were constitutionally and inevitably imperfect. The world is full of purblind, superficial critics who sit in judgment on women like Lois Ambler and never reach the truth because it is beyond them. There were better readers of human nature, who detected reserve forces, strength, intensity, enthusiasm, keen sensitiveness, and quick appreciation in the sudden flash of Lois's expressive gray eyes, in the arch and quiver of lips that would not always be suppressed, in quick, involuntary gestures that set will at defiance, and most of all in occasional words and tones that leaped out as crowded waters overflow their dykes.

Lois Ambler, sitting in the September twilight still as death, was not thinking of other people's thoughts concerning her. She was thinking her own thoughts of herself and another.

That other, a man, had become a regular attendant at St. Paul's and a power in Lois's life in the earlier spring. That was not the first of it either. The very first was earlier than the spring, before the winter's snows had left the hill-tops or the buds swelled on the trees. Lois, walking to the village on a woman's errand—a spool of cotton, a paper of needles, a few yards of Swiss—thinking intently, as was her way of thinking, found her thoughts broken in upon by the sound of horses' hoofs upon the road-side. As the horse and rider approached Lois's lips parted with a smile. If she had a weakness, her father was wont to say, it was on the subject of horses. "She is a miserable judge of horse-flesh, too," he would add, with a laugh. "Strength and steadiness in an animal are all lost on Lois. She would sacrifice them all to style."

The horse that came dashing down the road and into Lois's thoughts that chill February morning possessed in a marked degree this requisite style. His step was dainty, as if he spurned the earth he trod on, Lois thought, and the arch of his neck was right royal. You see Lois's ideas of style referred to carriage rather than build. She pronounced him immediately an importation. All the horses in their town were steady, quiet animals, excellent for drawing plows and hearses, but they lacked the spirit and pride of this creature. She had seen Black Hawk a few years before in the neighborhood of Croton Lake, and had often said she had not seen the animal since that was worthy to be mentioned the same day. Now she said within herself, "He shall be written in my memory with Black Hawk."

Lois Ambler, being a woman, had not taken in so much of the horse without seeing the rider also. The man was not handsome in Lois's eyes. He had light hair and blue eyes, and she had a fancy for dark-haired, black-eyed men. Dark men and black horses were among her likings. "I hate blonde in a man and white in a horse," she would say, decidedly.

If any thing could have atoned to Lois for the lack of color in the complexion and hair and eyes of the rider she met that morning, it would have been the manner of his riding. He sat the horse with the conscious dignity of masterhood. As he passed Lois a gale of east wind made him shiver, and he let the reins fall on his horse's neck while he buttoned his coat tighter around him.

"Our men here would keep a watchful eye and a tight rein on such a horse," thought Lois. "Evidently he knows the flesh and blood he deals with. More likely still the horse knows what manner of flesh and blood is his master."

Lois was fond of poetry. Snatches of verse were ever running riot in her brain, and as she continued her walk to the village she was repeating to herself the opening lines of Bernardo del Carpio:

> "The warrior bowed his crested head and tamed his
> heart of fire,
> And sued the haughty king—"

She paused suddenly in her mental quotation, condemning it as inappropriate. In all probability the man was no warrior. Ten chances to one if he had raised his finger in defense of the national flag in its recent peril. His head was not crested save by a hideous beaver hat, hideous in spite of its being fashionable, and sleek, and shiny, and he had not bowed it either. It would have been a piece of unpardonable assurance if he had. As for his heart of fire she was taking a poetical license with that too. Possibly the man's heart never had any fire in it. She was of opinion that fires burned more brightly in the souls that shone out of dark-eyed men. It might be that the fires had gone out too, leaving only ashes and cinders, for the man was not young. She remembered how proudly he sat upon his steed, and wondered if terrible extremity even would drive that man to suing.

Lois Ambler's thoughts were not altogether consistent, you perceive; but by way of excuse for Lois for thinking them, and by way of self-justification for writing them, I would inquire just here, where is the woman who is altogether consistent in thought and word and deed?

Lois's walk accomplished for her all she intended—namely, the securing of the spool of cotton, the paper of needles, the few yards of Swiss. It accomplished more. Ah! there is a world of mystery in this seizing of our intentions by powers over which we have no control, converting our lightest words and smallest acts into levers that move all of the future for us.

She wore the Swiss in a sash that night to Mary Hogarth's party. Time had been when Lois was a belle because of youth and beauty. Belleship is a bud which, if not gathered by the matrimonial reaper, is apt to blossom into a wall-flower. Lois Ambler never will be that. I write it confidently, for in her budding womanhood were germs of character rare as the ovaries that choice exotics bear.

This night at Mary Hogarth's the young people flocked around Lois. They were mainly of the clique known as the St. Paul's set, for in country villages church makes caste. They had an axe to grind; they wanted to organize a set of sociables; there was no one like Lois for such things. She was popular, she had experience, she made people do as she wished. If the younger ladies started them they would soon have a score of jealousies and bickerings that would act like centrifugal forces, driving them off at a tangent from each other. Lois was a centripetal force; people gravitated toward her; they did not understand it, but it was a fact. Shall I tell you the secret? It lay in her power of self-control. It is a greatness all the world acknowledges.

She was talking to John Decker, and looked slightly weary and bored, when Mary Hogarth brought a stranger to her corner—Mr. Gregory she called him.

"He looked sensible and as if he wouldn't relish school-girl talk, and I didn't know what to do with him, so I took him over to Lois," she explained to her mother. "Lois is a trump at talking, and when I don't know what to play I always make it a rule to play trumps. He came with the Clarks. He could bring no better credentials for respectability."

Artful Mary Hogarth! She was one of the people to whom Lois Ambler was a mystery, but she prided herself on her skill in grouping people harmoniously.

Lois looked up at the announcement of Mr. Gregory's name, and saw the rider of the morning.

"I think I passed you on my way from the village," said Mr. Gregory, fixing his clear blue eyes on Lois's face. "You saw my horse. I think you did not see me?" he added.

Lois smiled. In that moment she read the man's vanity—a vanity that expected and was accustomed to receive gratification. A spirit of resistance took possession of her, and she replied, evasively:

"Your horse is a splendid animal."

Mr. Gregory frowned.

"Raven looks well," he said. "He would be stubborn if he dared."

Lois Ambler was keenly sensitive, and her sensitiveness made her quick to draw inferences.

"He thinks me stubborn," was her mental comment. "The man is a tyrant."

There was a sudden flash in her eyes, then her face was calm as marble.

"It is an odd name for a horse!" she ejaculated, half musing. "Is it the 'Ghastly, grim, and ancient Raven, wandering from the nightly shore, whose lordly name is, on the night's Plutonian shore, Nevermore?'"

"Your quotation is not flattering," said Mr. Gregory, with a curl of his lip. "Neither horse nor rider hails from a nightly or Plutonian shore. We are just down from New York."

The man was sarcastic in his wounded vanity. Lois's womanly impulse to heal the wound she had carelessly made prompted the quick apology:

"I beg your pardon—"

She would have said more, but Mr. Gregory, with a wave of his hand, stopped her.

"No need," he said. "Women like you decapitate your victims as surely as Herodias beheaded the Baptist. The next minute you offer an apology to repair the injury. It were as easy to heal a broken heart with Spalding's glue."

Lois's face lost its calm. "Women like me!" she echoed. You saw in a moment by the pain in her face it was the thorn in her flesh to be classed with odd women. Mr. Gregory made no attempt to extract it.

"Is it pleasant here in the summer?" he asked.

Lois replied, absently, that strangers generally liked it.

"Do *you* like it?" demanded Mr. Gregory.

"Yes," Lois replied. "I like it exceedingly."

"Humph!" ejaculated Mr. Gregory. "I should think it might be stupid."

"*You* would doubtless find it so," Lois retorted. A moment after she blushed at her rudeness.

The blush made Mr. Gregory smile.

Add consistency to your jewels," he said; "and teach your face and tones to harmonize in their testimony."

"I do not understand!" exclaimed she, helplessly.

"Every word uttered should be established by two witnesses," explained Mr. Gregory. "Your face contradicts your lips—perhaps your life."

"You do not believe in physiognomy?" asked Lois, coldly.

"I believe in psychology just now," was Mr. Gregory's answer. "What do you believe in, Miss Ambler?"

"That galop," was Lois's quick reply, as the "No Rest Galop" rippled from beneath the musician's fingers, and John Decker claimed her hand.

Mary Hogarth, congratulating herself on her skillful disposition of party elements, suddenly found herself checked in her congratulatory mood by the sight of Lois Ambler whirling down the room with John Decker, and Mr. Gregory deep in conversation with Captain Brunges.

"What upon earth!" was her involuntary exclamation. "Lois only tolerates John Decker; and there is Mr. Gregory, scarred in defense of the national flag, who finds nobody better to talk with than Captain Brunges, an ignorant man and a very bad rebel. Oil and water would assimilate as easily. I must put an end to that."

In a few minutes she was chatting with Mr. Gregory. She hardly knew how she came to do it, but she was talking of Lois Ambler. It was not Mary Hogarth's way to talk of other girls. Thinking of it afterward, she concluded that Mr. Gregory must have led her into the error unconsciously. She remembered afterward that she had said to him she never looked at Lois Ambler's face without thinking of mountains whose summits reached into regions of perpetual snow; and Mr. Gregory had answered, "Ah, but there are flashes in the woman's eye that make me think rather of a slumbering volcano."

Lois remembered in that September twilight, with the sharpened memory that comes to us when our life is intensest, how, after that first meeting, sitting in this same little room, she had picked up a volume of poems and read Poe's Raven from beginning to end. She remembered the shudder with which she laid it down, repeating over and over again that last despairing verse:

> "And the Raven, never flitting, still is sitting, still
> is sitting,
> On the pallid bust of Pallas, just above my chamber door;
> And his eyes have all the seeming of a demon's
> that is dreaming,
> And the lamp-light o'er him streaming, throws his
> shadow on the floor;
> And my soul from out that shadow that lies floating on the floor
> Shall be lifted—never more!"

She remembered that in her vivid imaginings of the pallid bust, and croaking raven, and despairing soul, there had mingled a very real picture of a coal-black steed and a resolute rider who had searched her face with a pair of calm, mesmeric eyes, and her heart with the question, "What do you believe in, Miss Ambler?" She remembered that she had said to herself she could never get on with that man. She was glad they were not likely to meet often. She remembered now—oh, so strange was the remembrance!—how the likelihood was lessened by acts of her own will that kept her from the places where Mr. Gregory frequented.

It had been the result of no planning of hers that she had met him one morning as she returned from a long, exhilarating ride on horseback. He instantly wheeled his horse. "I will ride with you—if you do not object," were the words he used. His manner implied, "I shall ride with you any way."

Lois bowed. That wordless bow conveyed the idea of resignation to the inevitable, nothing more. "You deserted me ingloriously the other evening," said Mr. Gregory, going back to their former meeting with a straightforward bluntness that did not try to hide the scar of the wound received.

"Discretion is the better part of valor," replied Lois, meekly.

"Original!" exclaimed Mr. Gregory, as if he scorned the justification.

"In its application," answered Lois, calmly.

Looking up, suddenly, she saw that Mr. Gregory was laughing good-naturedly. That laugh neutralized her mood and disarmed her rebellion. She laughed herself. Sparring was such silly work for such grown-up men and women!

Mr. Gregory took a rose-bud from the lapel of his coat. "Would Miss Ambler take it as a peace-offering?" he asked. Lois took it with a smile. She would keep the peace if Mr. Gregory would not provoke her to rebellion. He did it the next moment. It was a beautiful rose-bud; a sanguina, he explained. He admired flowers on bushes. Mrs. Clark had the bad taste to pluck it and fasten it in his coat. It was boyish and unsophisticated for men to wear flowers. It was an affectation of sentiment. He was glad Miss Ambler liked it, for he did not.

Hugh Gregory's conduct reminded one of the revocation of the Edict of Nantes. All the good conferred and immunities granted one moment he revoked the next. It was hard telling why he did it—perhaps to test his power, perhaps to preserve a non-committal posture.

Lois would have flung the flower back to its giver had she followed out her impulse; but the self-control, which was her greatness, triumphed, and she was carelessly placing it in the waist of her habit when her horse sprang suddenly and the flower fell to the ground.

Hugh Gregory made a motion to dismount, but she arrested him, partly from a foolish fear of giving trouble, and partly because the flower was valueless to her.

"Let it go," she said. "It does not signify at all."

Hugh Gregory in a twinkling sat upright, his face full of wounded feeling.

"I offer you a calumet, and you give me a quiver full of arrows," he said, indignantly.

"I beg your pardon!" exclaimed Lois, penitently. "I would really like it. Will you get it for me?"

"Never! I can not stoop so low," was the deep, earnest answer.

Lois was troubled. Vain as the man was, selfish as she suspected him to be, and uncompromising as she saw him, she had not meant to wound him so. Beneath all the rebellion he aroused within her there was that in his face and character that interested her. Some womanly instinct may have hinted even then that they whose lives were strung so finely that each with blundering fingers developed discords unknown before had power with better skill to evolve the sweetest harmony. It was only a hint half-comprehended and half-believed, but it made her sorely vexed and troubled.

That afternoon the sewing circle of St. Paul's held its monthly meeting. Lois Ambler was late, as she was apt to be where she was not wholly interested, and in her heart she voted sewing circles bores. She made election of her group, standing at the door and surveying the knots of women who chatted and sewed in the basement of St. Paul's. Mary Hogarth was talking animatedly to a bevy of girls who listened with apparent interest. That group promised the most entertainment, and she crossed over. Mary was talking of some hero in the war—a lieutenant who, in the thickest of the battle, had taken his captain's place in making an advance movement upon the enemy's lines, and all because he had once done the man injustice. The girls were loud in their admiration.

"Who told you?" asked Susan Morgan, a shrewd girl, who always wanted data.

"Captain Clark himself," answered Mary Hogarth. "He almost worships the man."

"Who is the man?" asked Lois Ambler.

"Lieutenant Gregory—Mr. Gregory, as he insists on being called now," answered Mary Hogarth.

Lois Ambler, not given to blushing, blushed and fell to self-communing. She had fallen into the error of condemning what she doubted—she whose heart clamored for justice and righteous judgment. These women, less just in general than she, had rebuked her. She thought of the rose-bud by the way-side signifying a quiver full of arrows, war to the end. Peace was infinitely better.

Lois left St. Paul's early. Mary Hogarth would have detained her, but a sight of Lois's face checked and restrained her, and she made no further effort.

"We meet to-night at the Widow Barton's to sew for the freedmen," said one of the elderly ladies to Lois as she passed out. "Will you come? The gentlemen are coming."

"It was foolish in me to add that, I suppose," said the lady, resuming her sewing and chat with her neighbor. "Lois isn't the girl to need a beau as inducement to do her duty."

The old lady might have withheld her self-condemnation, for Lois had certainly no thought of coming until the supplement was added to her invitation.

Lois was at the Widow Barton's at an early hour. A faded sanguina-bud drooped from one of the button-holes of her waist.

"It's awful withered!" said Mrs. Barton, disparagingly. "Do throw that out of the window, and go to my rose-bush and get a fresh one."

Lois shook her head.

Hugh Gregory came late. It was later still before he came in Lois's vicinity. He would not have come then, but Captain Clark called him to examine a fernery.

The girls rose to go, Lois among them.

"Miss Ambler has a fine face and form, don't you think so?" asked Captain Clark of Hugh Gregory.

"A fine form—yes," assented Hugh Gregory, frowning and turning to Lois. All his face changed as he looked at her. "Excuse me," he said, and crossed over.

"Is it a rose-bud, a sanguina?" he asked of Lois in a low tone.

"You should recognize it," she answered, blushing.

"Where did you get it?" he demanded.

"I walked out for it. It was not far," Lois began. "I do not like to be at enmity with any one. It is unchristian, and—"

Hugh Gregory stopped her.

"Don't dilute your act with weak words," he said, with a gentle pleading, strangely at variance with his old imperiousness. "It was a kind act, and I appreciate it. Going, are you? Good-by, then! I go away to-morrow, but we will meet again. Good-by!"

He had taken her hand, and grasped it firmly in his.

He came back again in the spring, and that was the beginning of the affair with Lois Ambler, according to the parishioners of St. Paul's. People pay little heed to the upheaving of loose earth and the laying of foundation walls; not until the structure rises above the surface does it command their notice or regard.

It was a strange summer for Lois. In her dreams of it in that September twilight it was like a picture full of high lights and deep shadows, or a piece of music full of exquisite harmonies and wailing misereres, or a poem with the mingled blessedness of "Paradise Regained" and the horrors of "Inferno." There were neutral tints in the picture, quiet passages in the music, and prosy pages in the poem. John Decker made them and Captain Clark; but beneath, and above, and running through them all were the days when Hugh Gregory crossed her path, and stirred her life.

Lois dwelt on one night in her musings as we dwell on last moments and last words of our dead friends. It was at the end of the summer, "the end of all things," she said, with a blush for saying it. The young people were all at Susan Morgan's. Hugh Gregory had come in with a stern face that did not soften till he talked with Lois. Lois had such a trusting way, that sat so sweetly on her old dignity that Hugh Gregory could not but be charmed. He gave himself up to the charming a while, all his face glad with a fullness of content. They were out on the long veranda; in their mood it was quite natural to get away from the crowd into the moonlight. Lois, in the frankness of her intercourse, fell into chat of their first meeting.

She quoted Hugh Gregory's remark, "'Women like me.' Describe them."

It had been the thorn in the flesh all this time. Hugh Gregory extracted it.

"Women resolute and high-minded, so just that but for their womanhood they would be severe; so trusting in their womanhood that mercy dethroned justice; loving honor, self-controlling, patient, and full of pity; not altogether consistent, not always self-comprehending, and not by nature humble. Women that were hard to win, but once won were kept forever. Lois Ambler—"

The sweet womanly face was bowed reverently and her eyes were dim with happy tears. Heaven was not far away.

Captain Clark tapped Hugh Gregory on the shoulder and handed him a letter, which he held in his hand.

"It was given me in New York," he said. "I give it to you now lest I forget it."

He stopped then and there, with his heart in flames, and read it, slowly and coldly, with but the slightest tinge of a blush on his cheek; the slightest of scornful curls on his lip. When he had finished it he did not speak, but stood looking at her who watched him a little way off. He gazed at her for a moment, sadness and scorn strangely mingled in his look; and then crushing the letter in his hand he turned to her and spoke, huskily, yet determinedly,

"It is cold here. Let us go in."

Lois's eyes for a moment were filled with great astonishment, then a change came over her. The gates of the Paradise that Hugh Gregory held ajar were closed and she shut out. But the expression to which her countenance had changed was not the one he expected to see when he had so coldly said, "Let us go in." He knew that Lois was not by nature humble. But there are other passions than pride in this world. He had expected her to look scornfully at him. Her eye had nothing of pride and contempt in it; she looked sadly in his face, and approached him with her gentlest air and laid her hand on his arm.

"Let us go in," he said, with nervous haste, "people are silly in the moonlight."

The Lois Ambler of a year before would then have glanced at him a look of scorn that would have annihilated him, but Lois was no longer proud with the man she loved.

"Let me see that letter, Hugh," she said, commanding, not entreating.

He hesitated a moment, still bending on her his strange look.

"Certainly," he said, at length, straightening the crumpled sheet and handing it to her. "It is nothing, my dear—"

He stopped at the words. A strange shiver ran through Lois Ambler's frame; her fingers grasped more nervously his arm; at length she took his hand in both of hers, and bending down kissed it. Strange action for the proud and haughty Lois Ambler!

She read it and blushed for him even more than he blushed for himself. It was a reminder of indebtedness, a dun for wine and cigars, for riotous living! She looked up at him inquiringly as she handed it back.

"Let us go in," he said.

"No. Not till you tell me what you mean. Why does this thing change your purpose?"

"It has made me see how contemptible I am. I would have asked you to share life with me—I who live without purpose, in idleness, in worse than idleness. I am disgusted with myself. You can not have a greater contempt for me than I have for myself. I am not worthy to love you."

"You are worthy to be loved, Hugh, and you know how I love you. You shall live for me, will you not? You shall labor for me, will you not? You shall endure all things for me, will you not?"

Lois Ambler is *not* an old maid, and Hugh Gregory no longer lives without a purpose, or wastes his life in riotous living.

And, moreover, reader, Lois Ambler is no imaginary character, and more than one Hugh Gregory walks Broadway in this our day.

TREASURE.

Two youthful schoolmates, blithe and free,
Wander'd together by the sea.

Said one, "My hopes are high as heaven;
To me the Future shall be given."

Said his companion, "I will stand
Among the foremost of the land.

"My fame shall thread the maze of men,
And lightnings quiver from my pen."

They met again in forty years,
And told their boyish hopes and fears.

The one had set his heart on gold,
And found it—growing frail and old.

The other, living fuller life,
Had fled the haunts of worldly strife,

And fill'd his soul with purpose high
And wisdom of the earth and sky,

But had not gather'd golden store,
To scare ill-fortune from his door;

Nothing but Courage, Hope, and Faith,
And Love, the conqueror of Death.

The rich man, with a mournful smile,
Said to the poor, and sigh'd the while:

"Oh, friend! thou'st dream'd thy life away,
And now that thou art old and gray,

"Hast not a penny for thine age,
Or for thy children's heritage."

The poor man cheerily replied:
"What matters? Life and joy abide.

"My children, sporting in the sun,
Can do at least what I have done.

"I've had my pleasure as I went,
And known the riches of content.

"Thou hast thy treasures—I have mine—
My heart my judge, men's verdict thine.

"But, friend, who'st chosen other ways
Than those I've trodden all my days,

"When comes the hour, as come it must,
When thou shalt mingle with the dust,

"Whose treasures shall the best endure—
Those of the rich man or the poor?

"Thine cease at portals of the grave,
Not even their shadow can'st thou save!

"But what I've won with heart endeavor
Is mine forever and forever.

"I take it with me through the tomb,
And find it when I pass the gloom!"

HOME AND FOREIGN GOSSIP.

THE inventor of Nitro-Glycerine has written an elaborate article on the subject to the London *Times*. He thinks it is taking a very narrow view of the matter to try to check improvements on the plea of accidents. Certain restrictions respecting the transportation of this material seem to have disturbed him. Probably his nearest relative has not yet been blown to pieces; otherwise he would scarcely regard—as he seems to do—wise regulations in regard to Nytro-Glycerine "measures to paralyze the circulation of a powerful and useful agent." He recommends that the public be enlightened in regard to its use. That is surely what should be done, and as rapidly as possible. And meanwhile? Shall the use of explosive materials "be left to the understanding" of the ignorant? "Civilization" need not "be stopped," but prudence is wisdom, and "prevention is better than cure."

Our system of letter-delivery is to be improved. Postmaster Kelly has secured an addition of over one hundred carriers, and after the first of February letters will be delivered nine times a day in the upper part of the city, and eight times a day down town.

It is said that a section of the Nicolson pavement is to be laid before the gates of Plymouth Church, that the services may not be disturbed by passing vehicles. Other churches might adopt the same plan with great advantage.

It now comes to light that a French savant, Dellisier by name, actually predicted the earthquake and hurricane at St. Thomas. He made his calculations from astronomical observations, and from the influence of planets upon the surface of the earth, and foretold that the 12th of November would be the date. As the convulsions of nature commenced just about that time, he may be considered a true prophet—provided he really *did* predict as is stated. Report says that he is preparing a work on the subject, to be read to the Academy of Sciences at Paris.

Among the curiosities of literature the following letter should be preserved. It was recently received by a merchant of this city, who, a day or two before, had his pocket relieved of his porte-monnaie, in which, however, there was nothing of value. The porte-monnaie was returned with the letter, which is unique:

> SIR,—After a great deal of trouble I was able to find out your name and address, and would request you in future to have more money in your pocket than you had yesterday, or my business would be spoiled altogether. For a gentleman of your standing and wealth I think it a d—d shame to go out with but two postage stamps in a pocket-book. The next time I shall have a chance to pick your pocket please to be provided with at least a few bank bills. If not, I shall publish you to some good cracksman. Yours, with no thanks,
> A PICKPOCKET.
>
> P.S.—The stamps I paid to the boy for bringing this letter.

It is pleasant when the conduct of our generals in the late war receives unsolicited commendation from Southerners. A resident of Savannah, giving in a recent private letter some retrospective account of Sherman's occupation of that city, thus writes:

> "Sherman's army behaved nobly—so nobly as to win for itself and its gentlemanly chief a warm place in the hearts of our people. His very *first* act, after placing sentinels for the safeguard of the citizens, was to detail scores of men from his own ranks, with army wagons, to go out and obtain fuel for the supply of the inhabitants; and within three days every family in the city had received at least a temporary supply. He found Savannah destitute both of food and fuel, and he brought into the city about eighty thousand men as hungry as ourselves; yet there was no violence, not an occupied house was entered without leave of the resident, no depredations were committed, no noise, fighting, drunkenness, or profanity disturbed the quietude of our streets, either by day or night.
>
> "But though there was no *unnecessary* suffering inflicted by the army of occupation, both they and we were almost without food—probably not ten days' supply of the barest necessaries in any house in the city. But the impending doom of starvation was averted by the noble philanthropy of our *Northern* friends. Ship-loads of provisions soon hastened to our relief, supplying temporarily our wants until business could be resumed, and money began again to circulate in our community. With *us* the worst was then over; and when, four months later, the Army of Virginia surrendered to Grant, I believe there was scarcely less rejoicing at the *South* than the North. True, our people were the *conquered* party—many had risked *all* friends and property in a losing venture—most of us had little in the way of worldly goods left—but we were worn out with the horrors of this unnatural strife, and longed for *peace* on almost any terms; and when it came, and folded its balmy wings over our troubled land, there were few indeed who did not bid it welcome, and utter a fervent 'Thank God' for the coming of the white-winged messenger."

A new method of punishing children has been invented, which is said to quell the turbulence of small children in a marvelous manner. It comes from Paris, as so many other good things do. For example:—James is seven years old; and he is a naughty boy one day. His papa remarks to him, in a serious tone, "James, you have been a bad boy to-day; I shall take a year off your age. You are now only six years old." Overcome with grief at this fearful calamity, the rebellious child subsides into complete docility, and promises perfect obedience if the abstracted year may be restored. We do not know whether this invention has yet been patented.

A revelation has been made to the Mormon leaders, and they have decided that all under their authority must give up the use of tea, coffee, and tobacco. No drinking-saloons are allowed in Salt Lake City—which fashion might be followed elsewhere with immense advantage.

A farmer in Phillips, Maine, while digging a well, came upon some irregularly laminated rock. Through this ledge he worked down by blasting four feet further, at which depth he found three frogs, completely imbedded in the rock. These frogs were each from three to four inches in length, but about an eighth of an inch in thickness, appearing as if flattened out by pressure. In about ten minutes after they were thrown out they showed signs of life, by slight motions or twinges of the eye. They also commenced inflating themselves and growing thicker, and in the course of half an hour hopped off. They were nearly the same color as the ledge in which they were found.

What delightful surroundings they have in South America! A Brazilian officer thus describes some of the beauties of soldiering in that tropical clime: "Amphibious creatures abound. In my own tent I have already killed four snakes. Every morning I find myself accompanied by a body-guard of fifteen or twenty monstrous toads, which have quietly spent the night under the corners of the hides that serve me as a bed. Enormous alligators promenade regularly every night from lake to lake. In a major's tent, the other day, one was killed that measured about six feet in length, and an unfortunate Brazilian soldier was unexpectedly taken off his legs by one of these horrible creatures and carried into the nearest lake."

It is stated that the profits of the Paris Exhibition amount to about $600,000. The sum gained during the three supplementary days for the poor of Paris was 176,000 francs.

At a recent convention of clergymen it was proposed, after dinner, that each should in turn entertain the company with some "interesting remarks." Among the rest, one drew upon his fancy and related a dream. In his dream he went to heaven, and he described the golden streets, etc. As he concluded, one of the divines, who was somewhat noted for his penurious habits, inquired, jocosely:

"Well, did you see any thing of me in your dream?"

"Yes, I did."

"Indeed! what was I doing?"

"You were on your knees."

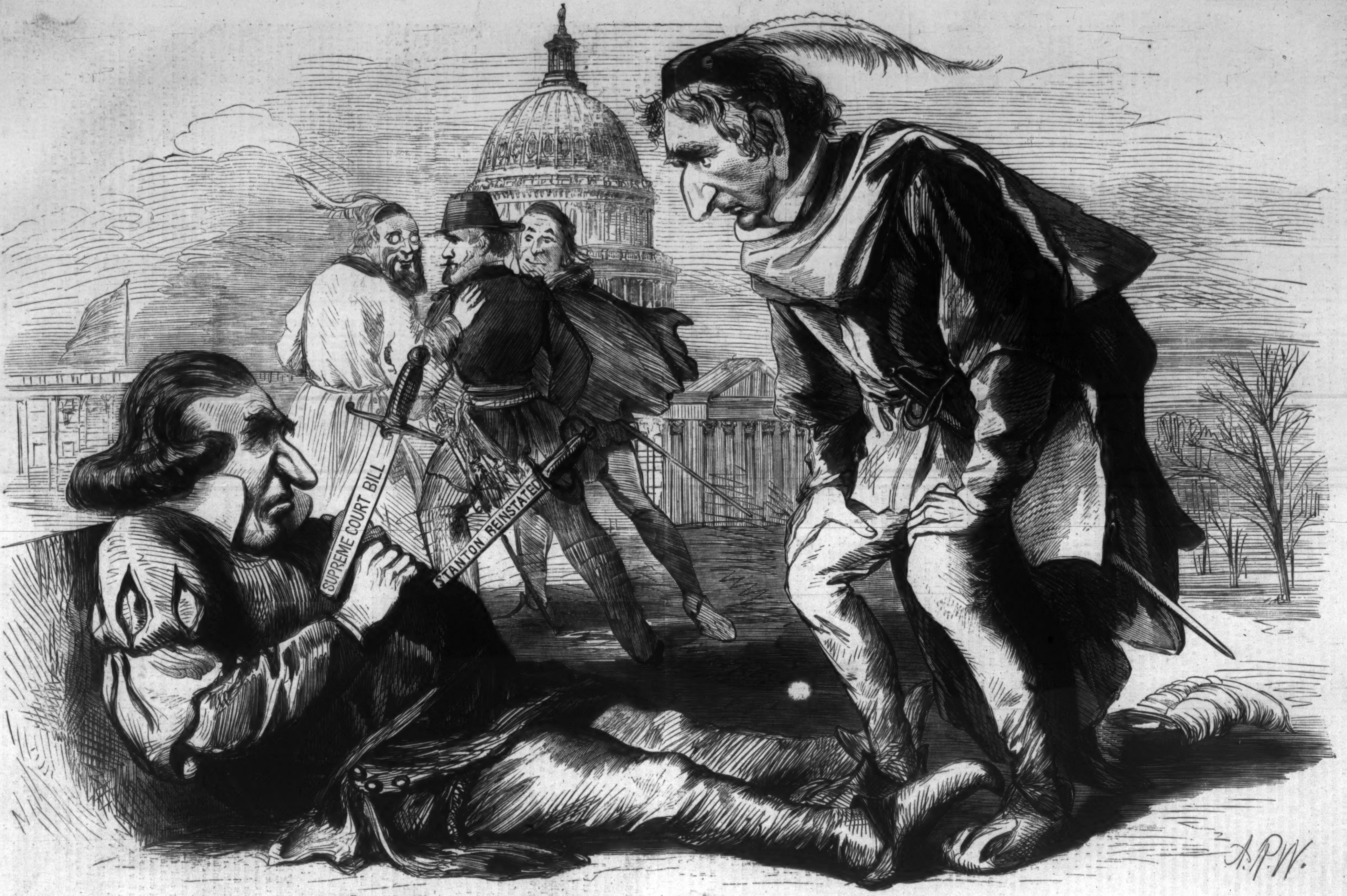
"Praying, was I?"

"No—scraping up gold!"

The following statements, gathered from an English journal, may not be uninteresting to the scientific reader: The recent discovery by Schiaparelli, of Milan, that the orbits of many of the comets are filled with a circulating band of meteoric stones explains why the earth experiences a star-shower nearly every time it rolls through the orbit of a comet. These stones, or such as reach the earth, are mostly composed of iron, nickel, cobalt, and phosphorus. Some of them are a kind of sandstone. When the meteorites strike our atmosphere, with a velocity infinitely greater than the rush of missiles ejected by human artillery, the friction of the air sets fire to them, and ere they have penetrated in a vertical direction as much as twenty or thirty miles the intense heat usually bursts them into powder. If they contain any combustible substance it ignites, so that few ever find their way unbroken to the earth. Those that do reach the earth fall in an intensely heated state.

An Irish surgeon who had couched a cataract and restored the sight of a poor woman, in Dublin, called together his professional brethren, declaring that he had discovered a phenomenon in optics. He stated to them that the sight of his patient was so perfectly restored that she could see to thread the smallest needle, but that when he presented her with a book "she was not capable of distinguishing one letter from another." This very singular case excited the ingenuity of all the gentlemen present, and various solutions were offered. Doubt crowded on doubt, and the problem grew darker from every explanation, when at length a servant in attendance suggested that perhaps *the woman had never learned to read!* And so it was!

A lank-looking young man recently entered a bank in one of the Eastern States, and loitered about for some time, as if "waiting for an opportunity." The eye of the cashier was upon him; but at length he sidled up to the counter, and said, "Is there any way a fellow can find out if any body has any money in the bank?" "Oh yes," the cashier blandly answered; "you can ask any one, and he will probably tell you." This did not seem satisfactory to the youth, and he made another effort. "Well," said he, "I suppose I must tell you; I am engaged to a girl, Miss M—— D——, and folks say that she has a hundred dollars in the bank, and I want to know if it is so." "Ah yes, I understand it," said the cashier; "you can ask the girl, and she will probably tell you." At the last accounts the young man had not obtained his marriage-license.


SUPREME COURT BILL
STANTON REINSTATED
A.R.W.

ROMEO (*Seward*). "Courage, man; the hurt can not be much."
MERCUTIO (*Johnson*). "No, 'tis not so deep as a well, nor so wide as a church-door; but 'tis enough, 'twill serve: ask for me to-morrow, and you shall find me a grave man. I am pepper'd, I warrant, for this world:—A plague o' both your Houses."

SOLDIERS' MONUMENT.

We give on this page an engraving of the "Grant County Soldiers' Monument," lately erected at Lancaster, the county seat of Grant County, Wisconsin, by the patriotic people of the county, to the memory of the Volunteers who fell in the recent war for the Union.

The monument is placed in the northeast corner of the Court-house square; and is of most beautiful design and elegant finish. It is made of the purest white marble, the main shaft is 27 feet high, the sub-base 7 feet, and the base 5 feet square. The first die upon which the inscriptions are wrought is 3½ feet square, surmounted by a cap and cornice and indented by means of raised corners. Over this is the second die upon which the emblems are carved, which is 24 inches square and 30 inches high, from which the column tapers to the top. On the east side of the first square die is a beautiful laurel wreath, within which is inscribed the following:

> "Dedicated to the memory of the brave soldiers of Grant County, who fell in defense of universal liberty in the great rebellion of A.D. 1861. This marble contains their names; the many bloody battle-fields of the South contain their ashes; their memory is forever enshrined in the hearts of their countrymen."

Over this, on the second die, are a couple of American flags, a cannon, and an anchor, spanned above by an arc. On the north side of the first die is inscribed the following extract from Lincoln's Address, at Gettysburg:

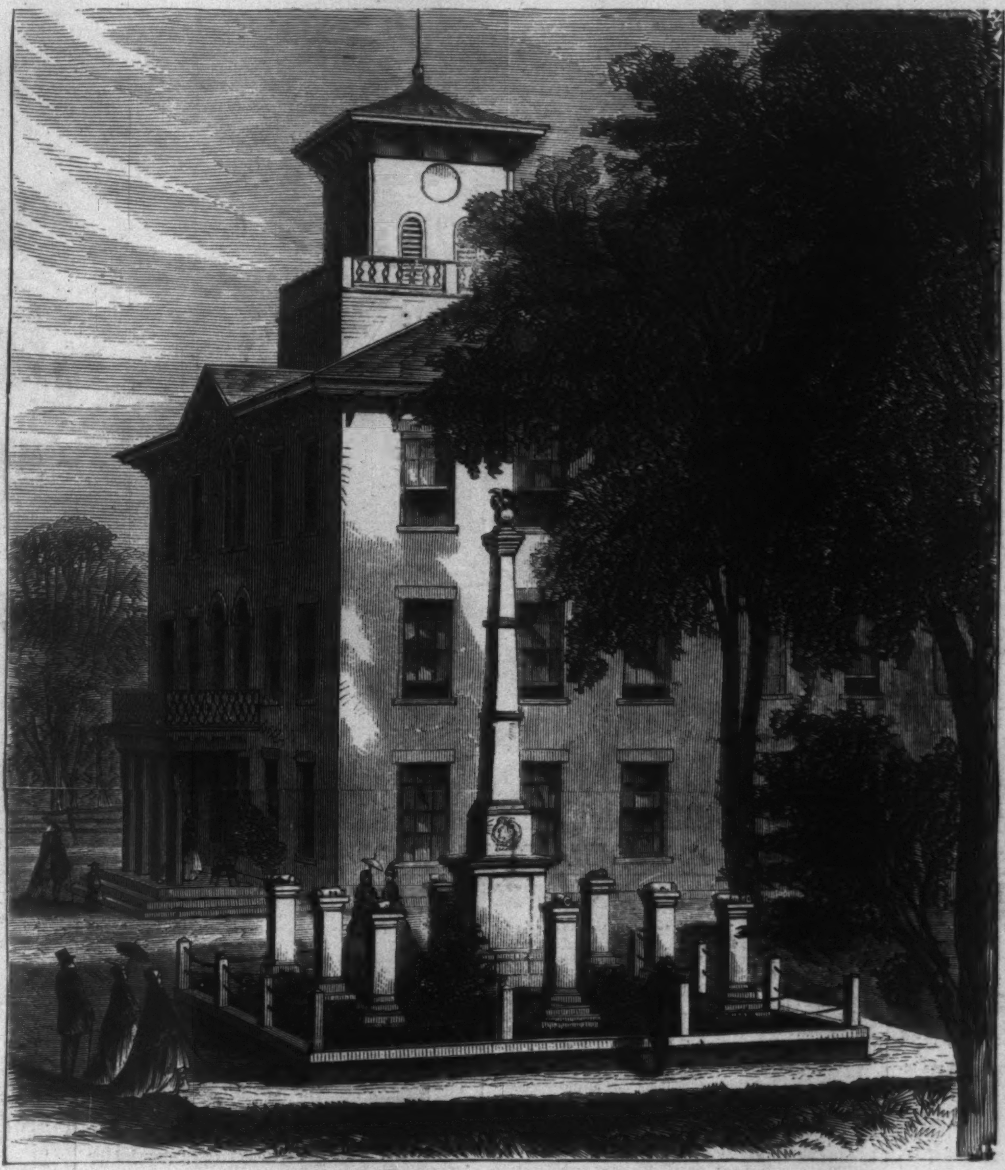
> "We here highly resolve that these honored dead shall not have died in vain; that this nation, under God, shall have a new birth of freedom, and that government of the people, by the people and for the people, shall not perish from the earth."

Over this, on the second die, is cut the anchor of hope, garlanded with laurel leaves, resting upon the Holy Bible. On the west side the following couplet—a translation of an inscription found on a monument at Thermopylæ—is engraved:

"Go stranger; to your country tell
For her we fought, were buried where we fell."

Over this are four swords and mountings grouped together.

On the south side is this quotation from Lincoln's emancipation proclamation: "I do order and declare that all persons held as slaves...... are, and henceforward shall be free."



GRANT COUNTY SOLDIERS' MONUMENT, LANCASTER, WISCONSIN.

And over this, on the second die, beautifully wrought, a pair of broken shackles upheld by a right hand. The column is surmounted by an eagle standing on a globe with outstretched wings holding a wreath in its beak.

The monument is placed within a hollow square formed by eight uniform columns, on which are engraved the names of the honored dead of Grant County, 750 in number. Each column is capped by a cannon. These are surrounded by a fence formed by twelve posts of marble connected with a chain. Outside of this is a gravel-walk and a row of evergreens.

The design of the whole monument is elegant, chaste, and appropriate; and the work is executed in a manner rarely excelled. The cost of the whole was about $7000. It was formally dedicated with appropriate and impressive ceremonies July 4, 1867.

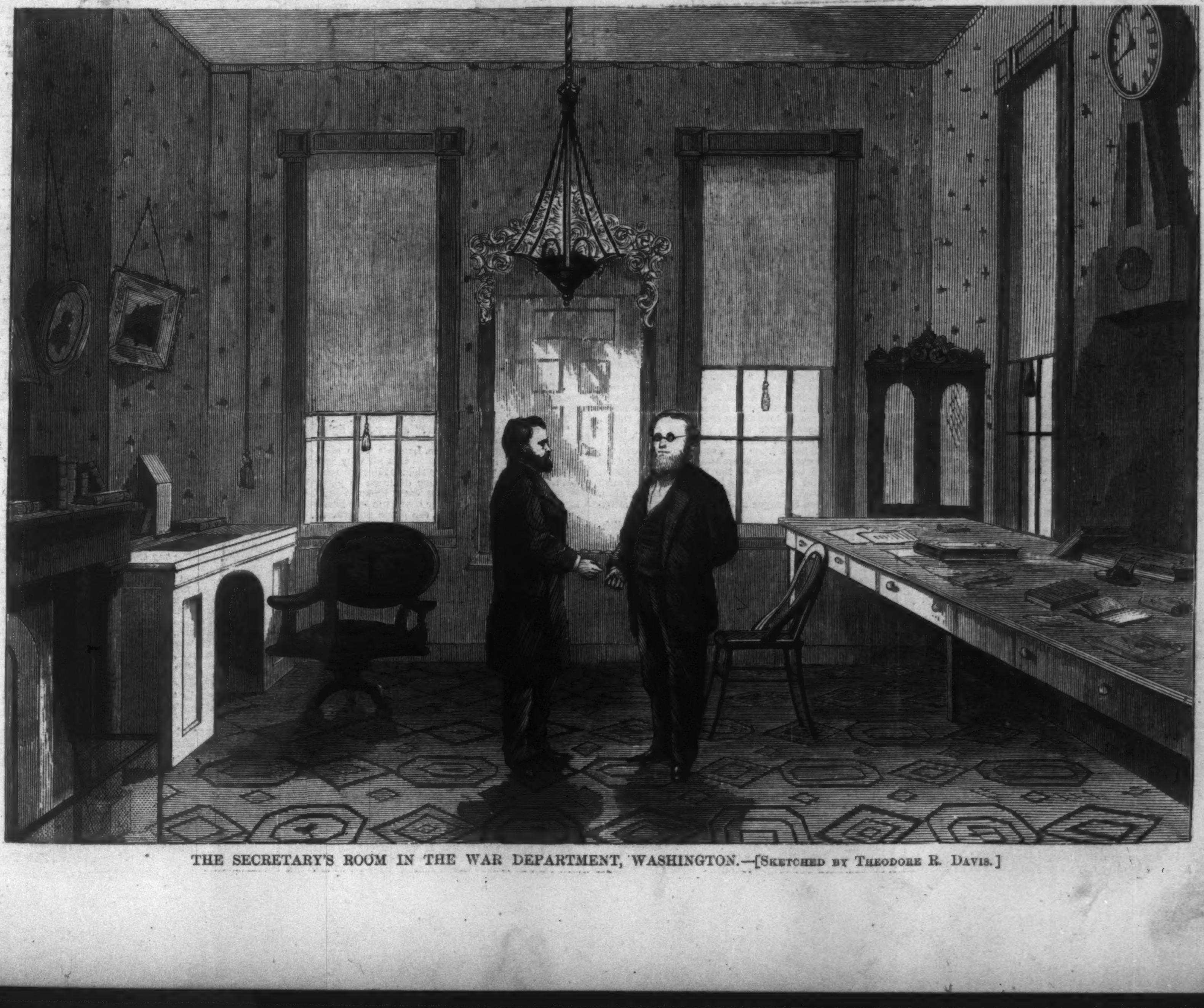
THE WAR OFFICE.

We give on this page an engraving representing the Secretary's room of the War Department at Washington exactly as it appeared on the day of the memorable transfer of the office to Secretary Stanton by General Grant at the bidding of the United States Senate. The sketch was made by our artist, Theodore R. Davis, on the day that the transfer took place, and General Grant and Mr. Stanton are represented in the engraving as they appeared at that time.

This apartment of the War Department is known as the "Secretary's Room," and is the one used by Mr. Stanton and General Grant. Mr. Stanton ordinarily receives his visitors standing at the corner of the high table in the right of the picture. General Grant, while acting as Secretary of War, usually did his work and conferred with visitors seated at the table near which the great chair is placed.

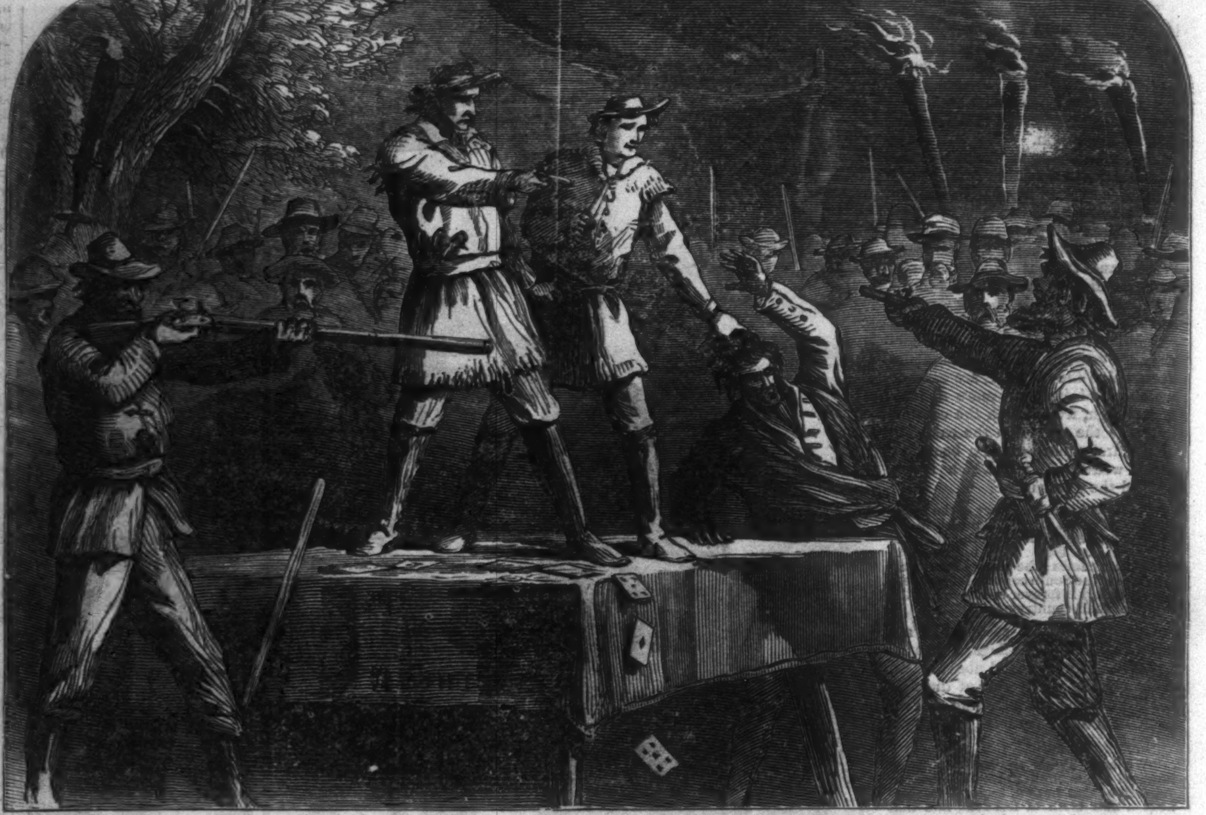
CIVILIZED FLIES.

A singular circumstance has lately been reported by scientific men on the subject of the domestic fly of Europe and America. Every body knows that the civilized man is, and always has been, more than a match for the savage; and that before the continually encroaching steps of the Anglo-Saxon and other European



THE SECRETARY'S ROOM IN THE WAR DEPARTMENT, WASHINGTON.—[Sketched by Theodore R. Davis.]

races—but more especially the Anglo-Saxon and Scandinavian—the aborigines of the American continent, of the Cape of Good Hope, of Australia, and New Zealand, have been gradually disappearing. If two races refuse to amalgamate, the weaker goes to the wall. Civilization is too much for them, and they retire from its presence only to linger a little while in the land of their fathers, conscious of their inferiority, and driven to the grave at last. That this should happen in the case of men is not very surprising, but that it should happen in the case of house-flies is not a little remarkable. Dr. Haast, a Fellow of the Linnæan Society, writes to Dr. J. D. Hooker, from New Zealand, that not only does the European drive away the Maori or original inhabitant, but that the European house-fly drives away the New Zealand fly. Of two evils New Zealand colonists prefer the lesser, and as the spread of the European insect goes on slowly, they are actually importing house-flies in boxes and bottles to their new inland stations. Is it that all living things that are much in the society of, or in immediate contiguity to, man in a high state of civilization have their faculties sharpened by the association—sharpened, as it were, by danger, and the necessity of protecting themselves against such formidable foes? Is it that similar animals and insects in wild countries, where men are few, are not so highly educated by adverse circumstances, not so acute, clever, and wary; and that when superiors of their own race are brought into contact with them, the weaker flies before the stronger, as we see it among men?


"SAY, MEN!" CRIED HAL, IN A CLEAR, CALM VOICE, "YOU HAVE WATCHED THIS GAME. DID I WIN IT FAIRLY?" "YES, YES!" YELLED THE CROWD. "IS THE MEXICAN'S SCALP FAIRLY MINE?" "YOURS, YOURS!" ROARED A SCORE OF THROATS. "THEN, BY ST. PAUL! I'LL HAVE IT!" SAID MY CHUM, DRAWING HIS FORMIDABLE BOWIE.

Captain Carleton's Great Story of Frontier Life.

THE MYSTERIOUS HUNTER;
Or, The Man of Death.

CHAPTER I.

Gold! gold in California!

How this announcement, some twenty years ago, thrilled the country from the Lakes to the Gulf! How topsy-turvy it turned all preconceived notions as to the idea of slowly-acquired wealth, and opened up dazzling visions of untold riches to the universal Yankee nation!

The Gold Fever burst out suddenly and became almost instantaneously a sweeping, raging epidemic.

The banker locked up his vaults, the merchant closed his ledger, the lawyer thrust his brief into the grate, and the mechanic left his bench—all in thorough disgust with the old maxim, "slow, but sure"—turning their faces westward toward the Eldorado of the Pacific.

Some went by steamer, via the Isthmus; others ventured by sail, to incur the perils of Cape Horn; whilst others still, most venturesome of all, struck out boldly across the unexplored deserts of the Far West, to meet unknown hardships, and encounter perils from fierce beasts and fiercer men.

With this much of preface, kind reader, let me introduce myself.

Henry Gregory, aged twenty-two—a victim of the gold fever—at your service.

That I, of all others, should be attacked by the fever, seemed eminently proper and natural; for an adventurous life seemed to be, as it were, my birth-right. My father and grandfather had been New Bedford whalemen, and their lives had been full of perils and strange vicissitudes; whilst my elder and only brother had run away at the early age of twelve, and entered the merchant service. An uncle, too, had been a man-of-wars-man, and had been shot down on board the ill-fated Chesapeake, standing by the side of the immortal Lawrence. Thus I grew up, my mind stored day by day with marvelous tales of the great deep.

I was not to go alone. New Bedford was full of adventurous youths. Hal Pittman was to go with me. Hal was my second self, the playmate of my boyhood, and occupied the third place in my affections—my mother and sister naturally coming first.

Hal's father, too, had been a sailor—a captain of a ship engaged in the Havana trade; but he had, at the time of which I write, been dead several years. To illustrate the character of the father and the son, let me relate a brief incident of one of their voyages.

When Hal was only nine years old, his father took him along on a trip to Cuba. There were pirates in those days, and to be prepared in case of necessity, many merchant vessels carried a cannon or two, besides arms for the crew. The Nancy—that was the name of Captain Pittman's ship—carried two six-pounders, and muskets and cutlasses for thirty men.

When about fifty miles out from Havana, a suspicious looking craft hove in sight, and gave chase. She was unanimously voted to be a pirate, and so she proved. Captain Pittman had on board a very valuable cargo, and at once crowded all sail to escape. Unfortunately, it was not a stern chase, and the pirate was a splendid sailer. She bowled along over the sea like a proud courser, and was soon nearly athwart the fore-foot of the Nancy, and within long musket-shot.

A flash from the bow-port of the pirate, and a twenty-four pound shot tore through the forward bulwarks of the Nancy. All hope of escape by flight was cut off, and resistance seemed almost useless, for the deck of the pirate was covered with men.

Still the captain was loth to surrender; but he saw no hopes to save life in any other direction, and with a sullen look, gazed at the swiftly approaching vessel. The two six-pounders were loaded, and the one aft was pointed toward the pirate. Hal had watched the entire scene with intense interest, and when the roar of the enemy's gun boomed over the sea, and the splinters flew from the bulwarks, it seemed to fire his young blood.

He crept stealthily aft, and, unseen by any of the crew, applied the coal to the vent of the cannon. The little six-pounder roared out furiously, startling the entire crew.

Captain Pittman darted aft in a towering passion to see who had ventured to do so serious a thing without orders, and was overwhelmed with surprise on beholding little Hal dancing with delight at his exploit.

Before the angry parent could reach the erring son, a cry of dismay was heard from the deck of the pirate, and great confusion was visible among the enemy.

It was soon explained.

The six-pounder had been loaded with a solid shot, and this had gone crashing through the pirate's hull an inch below the water's edge.

The pirate was sinking!

The entire aspect of affairs was changed; hope sprang up in the breasts of all on board the Nancy. The captain seemed all at once endued with marvelous spirit. Gun after gun was discharged, one most happily carrying away the pirate's fore-topmast, and essentially checking her speed. A fresher breeze sprung up, and the Nancy crowded on more sail, and soon the pirate was left behind out of range. In half an hour darkness fell, and what became of the pirate vessel none on board the Nancy ever knew.

Hal's spunk had saved the ship, and he was during the balance of the trip a great pet with the old tars.

This same Hal was to go with me to the land of gold. We completed our arrangements, bade sorrowful adieus to our friends, and were *en route* to the new Eldorado.

CHAPTER II.

Independence, Missouri.

In due course of time we reached this young and growing frontier city; a city that was to us the limit of civilization, and the initial point of our journey across the seemingly illimitable prairies of the Far West.

We attached ourselves to a train that was to start in three days. It was to contain fifty souls and ten wagons, each vehicle requiring four stout mules. There were several females and children in the party, and thirty-three able-bodied men well armed with rifles.

Hal and I had but little "baggage;" indeed a stout and somewhat capacious carpet sack contained our joint stock; and for the transportation of this we arranged with the owner of a wagon for twenty-five dollars in gold.

In our personal outfit we were, perhaps, somewhat extravagant; but the reader must not forget our comparative youth and adventurous spirit. He will also bear in mind that we were determined to combine pleasure with profit.

We bought a regular hunter's garb, consisting of hunting shirts, leggins, striped cotton undershirts, blue neckties, slouched felt hats with low crowns, stout boots, and brass spurs. In dress we were as near alike as two peas, and, being about the same size, we bore a striking resemblance to each other.

We were emphatically "armed to the teeth." In our holsters we carried a pair of Colt's revolvers, six-shooters; in our belts, old-fashioned bowie-knives; light, ornamented rifles completed the armament. We had also flasks and pouches, canteens and haversacks.

We thought we had made good bargains in purchasing our horses; mine was a powerful bay, Hal's a staunch black. They were both American horses, stout, of good proportions, and possessed considerable speed. Our saddles and bridles were after the Mexican style, quite serviceable, and richly ornamented.

We were ready, and the train was to start the next morning at daybreak.

Independence was, as I have stated, a sort of mushroom city. Like Jonah's gourd, it had sprung up in a night.

Its population was a floating one, and composed of the most heterogeneous material; and, after the manner of all frontier towns, it abounded in drinking-saloons and gambling-shops.

The evening prior to our departure was oppressively sultry, and the streets were full of people. Hal and I lit our cigars and started for a stroll.

Soon our attention was attracted to a scene under a little clump of trees in front of a "canvas" drinking-shop. A good-sized monte-table covered with red chintz, had been erected, and on it were several piles of half and quarter eagles. A group of half a dozen men stood around the table eyeing the treasure.

Behind the table sat two men, the owners, no doubt, of the gambling establishment. One was a large, thick-set fellow, with low, repulsive features. His hair was long and unkempt, and his whiskers and shaggy eyebrows were perfectly enormous. He was broad-shouldered, and, apparently, a physical giant. He was dressed in the rude garb of the frontier, and had a belt stuck full of pistols and knives. Undoubtedly he was a rough and ugly customer. His partner was a Mexican. There was no mistaking those clean-cut, sharp, angular features, those black, piercing eyes, those white, ghastly teeth, that dried-up, yellow, peppery skin. He was not a large man, only a trifle above the medium; but every movement and word indicated the craftiness and treachery of the full-blown Mexican. He was, beyond doubt, every inch a knave, and even more to be feared than his brutal-looking companion.

The two were Strength and Craft—always formidable when combined.

These two worthies appeared to own the establishment, and to be employing the most seductive and persuasive speeches to entice by-standers and passers-by to try their fortunes in a game of hazard. They were but too successful, for the spirit of gaming ran high. Were we not all, in fact, risking every thing, even our lives, in a mad pursuit of wealth? If wealth were to be gained here, what use to seek further? So many reasoned, and were fleeced of what they had, instead of adding to their means.

"Hold on!" whispered Hal into my ear. "This seems to be a regular slaughter-shop. Look, now, that youngster has just lost fifty dollars. What a precious pair of cut-throats these monte-dealers are!"

He paused at the table. A half dozen wood torches blazing in the air threw a lurid glare over the entire spot. Hal was a good monte-player. His father had learned it in his voyages to Cuba, for the Spaniards and Cubans are famous for their proficiency in all such games, and had in turn taught it to his family.

As we paused at the table, the heavy-whiskered desperado glanced at us from beneath his shaggy brows, and I thought I beheld a sudden furtive gleam in his eye, that meant mischief for both of us.

"Who'll try thar luck next?" said he, in a heavy gruff voice, that sounded like the distant mutterings of a storm—a splendid diapason bass.

The group, composed of about a dozen, did not seem inclined to indulge any farther in the play, all of which had heretofore only served to swell the piles upon the red chintz.

"Come, boys!" continued the fellow; "faint heart never wins a fair lady, ye know. Hyer's sev'ral piles o' yaller boys a waitin' fur yer pockets. Say, stranger, won't ye try yer luck? Kiver these fifty dollars, hey?"

This last remark was addressed to Hal, who instantly replied, in a nonchalant voice: "Fifty green cheese! Where do you s'pose a poor devil like me could raise half that sum? Say ten dollars now, and I don't mind."

"Small pertaters, hey!" sneered the bully, who was a little nettled at Hal's complete *sang-froid*. "Ten dollars hain't wuth countin' skeerce; but as trade's gettin' a leetle dull, we'll try ye on ten ef ye sez so."

"All right. Proceed," replied Hal.

The cards were cut and the game was quickly played—the golden eagle going to increase the piles on the chintz.

"He! he!" laughed the whiskerando. "Got any mere ten spots handy?"

"Strapped," replied Hal, with a suggestive shrug, "unless you will put up fifty dollars against my diamond ring."

"Humph! the ring's too small for me," growled the bully.

"But not for me, Tom Landers," interrupted his companion, the crafty, smooth-tongued Mexican. "Carajo! I will play for it, if you please."

"Crack ahead, then!" growled the brutal Tom Landers. "I don't play fur no sech gewgaws as that. If ye want to do it, Senor Guaymas, I hain't nuthin' ter say."

The ring, with a cluster of several diamonds, was really a valuable one. It had been presented to Hal's father years before by a rich Cuban planter, and the dazzling brightness of the precious stones had stirred up the avarice of the Mexican gambler.

The diamond ring and fifty dollars were put up.

The cards were cut—the game played swiftly. My chum was the winner.

"Stop now, Hal," said I. "Let's go."

"Carissima!" exclaimed Senor Guaymas, with a most seductive smile: "surely you will not leave fortune just as she comes to you. There is more gold to be won!"

"Certainly," answered Hal, with a merry laugh. "We've found a rich gold mine. Let us work it."

Fifty dollars against fifty dollars. Again Hal is the winner. His blood is rising. I see the flush on his cheek, and know that the excitement which ever attends gaming is thrilling his nerves.

"Cover my hundred—eh?" he demanded.

"Of course," was the reply.

Another quick game. Astounding luck! Hal sweeps the board.

"Blarst ye!" growled Tom Landers, getting up, and displaying his mammoth proportions. "This hyar's got ter be stopped."

Then the two monte-dealers held a short consultation; they were both getting nervous. Two hundred dollars lost in twenty minutes!

The crowd gradually increased; they knew these two bankers to be a precious pair of knaves—knaves who fleece their victims by the dozen hourly. They are seldom beaten; yet the youth scarcely out of his teens is winning their gold rapidly.

There is sport ahead, reasons the crowd.

"Cover my two hundred?" asked Hal, lighting a fresh cigar as he spoke.

Senor Guaymas and Tom Landers were still consulting. Two hundred dollars was all they had left. They hesitated to accept the risk. If they should lose, the bank was broken; if they declined to play, they stood no chance to recover what had already been lost. They answered: "We cover the two hundred."

The excitement grew as the game progressed. A yell from the crowd announced the result.

"The bank is broken!"

The crowd spoke the truth, for my chum was the possessor of four hundred in gold. There was not a quarter eagle left upon the table. I was amazed.

The two gamblers looked at each other. Tom Landers's face was in a tempest of passion, and his eyes shot broadsides of fury over the chintz table. The Mexican was mad as a hornet, but too politic to show it.

"Cover my four hundred?"

How tantalizingly Hal asked that! It stung Senor Guaymas to the quick, for I saw his lip quiver and his eye snap. It was the last hair that broke the camel's back. He whirled suddenly about, with an expression of malice upon his thin, sallow features, that I never saw equaled.

I regretted now that Hal had pushed matters so far—these Mexicans are so passionate and so vindictive. A street fight was by no means desirable, especially with with such characters as these gamblers. It does not take much on the frontier to bring blows and blood.

Suddenly Senor Guaymas decided: he thrust his hand into an inner breast pocket. I had seen such motions before: the wretch was about to draw a pistol upon my chum; so I placed my revolver in such a position that I could use it on the instant, and watched the Mexican.

My suspicions were at fault. I did the rascal injustice. He drew out his hand, and placed a diamond-studded brooch upon the table. It was superb: a splendid lady's pin, the like of which is seldom seen.

"That brooch is worth double your pile," said the Mexican, glancing warily over the crowd. "Will you cover it? I warrant it genuine."

"More jewelry," laughed Hal. "Certainly I'll cover it."

The game went on, and, terrible fatality! the banker lost, and the diamond brooch was my friend's.

"El demonio! what accursed luck!" hissed the Mexican between his tightly compressed lips, as his face grew livid.

"Cover the whole pile now—gold, watch, ring, and brooch?" continued Hal, with frigid coolness.

"No, curse you!" roared the banker, no longer able to control his feelings. "I've nothing left. You've ruined me!"

My chum bit off the end of his cigar, and threw it away. Then I saw a peculiar twinkle in his eye. He leaned over the table and said,

"I'll tell you what I'll do."

"What?"

"*Play for scalps.*"

The Mexican started back aghast. Then his black eyes gleamed balefully and in a frenzied tone he said,

"Done, by all the saints!"

"No, no!" I interposed, laying my hand on my chum's shoulder. "For Heaven's sake, stop! this has gone far enough already. Don't carry it farther."

I was horrified at the proposition, and dreaded the bloody scene that was certain to follow. Hal was in no mood to listen to my objections, but pushed away my hand rather unceremoniously, and replied,

"Humph! we must finish the contest in good style. If the scoundrel wants my scalp, he's welcome to get it. I'm sure I can lift his with marvelous grace. Down with the cards, old yellow-belly."

The excitement was at a white heat; the crowd, which had increased to a full score, jostled and swayed to and fro in a tremor of expectation.

Senor Guaymas was livid and ghastly; he threw down the cards, which were hastily cut, and the game proceeded. All held their breaths and strained their eyes.

"Carajo! lost, lost!" groaned the unfortunate Mexican, striving to steady himself at the table as the crowd yelled and jeered at his terrible luck. "Satanas take you and your tricks! You are in league with the Evil One. I am undone; take the stakes."

"No, by hokey! nothin' o' that sort hyar," roared Tom Landers, in a voice like a bull. "My partner hain't a goin' ter be scalped by no sech leetle whiffet as yon puppy. I allus stands by my friends, an' I'm not goin' ter play false to 'em now."

The bully pushed forward and drew his mammoth proportions up to their full height; his face was red with anger and strong whisky. The crowd drew back a little, apparently awed somewhat by the defiant and formidable aspect of the furious desperado.

Hal leaped square upon the table and glanced over the crowd. He saw a score of excited faces upturned; he saw the gleam of forty flashing eyes; he heard the mutterings of passion.

"Say, men!" he cried, in a clear, calm voice. "You have watched this game. Did I win it fairly?"

"Yes, yes!" yelled the crowd.

"Is the Mexican's scalp fairly mine?"

"Yours, yours!" roared a score of throats.

"Then, by St. Paul, I'll have it!" said my chum, drawing his formidable bowie. "Down with your head on this table, old Guaymas."

The Mexican grew pale, and his knees smote together; he presented an aspect of mute terror that was appalling; he stood rooted to the ground.

Click! came the cocking of a revolver. Tom Landers had drawn his six-shooter and thrust it toward Hal. Hal did not flinch a particle, but held his knife in his right hand, and eyed the bully. I leaped upon the table, holding my Colt ready, with finger on the trigger, and stood by my chum's side.

"Shoot if you dare, you cowardly cut-throat!" I said, with as much coolness as I could command. "It will be your last shot."

There was a rustle in the crowd, and the next instant a tall, slab-sided trapper, carrying in his hands an enormous rifle, emerged from the crowd, and confronted the glowering Tom Landers. The trapper threw his rifle to a level, and drew a bead upon the bully.

"Tom Landers," said he, in a gruff voice, "if ye don't put up that leetle shootin'-iron, I'll put the contents o' old Black Bess through yer noddle quicker 'n greased lightnin' 'd kill a b'ar. The boy has won the scalp; an' if thar's any virtue in my muscle, he'll hev it too."

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